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DEBATES OF THE LEGISLATIVE
ASSEMBLY OF
UNITED CANADA

Volume XII

Part VII

1854 - 1855

DEBATES OF THE LEGISLATIVE ASSEMBLY OF UNITED CANADA
1841-1867

Published under the direction of the
Centre d'étude du Québec
and the
Centre de recherche en histoire économique et sociale du Québec (CHE)

General Editor
Elizabeth Abbott Gibbs

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Volume XII, Part VII
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Edited by
Nicole Guérin

CENTRE DE RECHERCHE EN HISTOIRE ÉCONOMIQUE ET SOCIALE DU QUÉBEC (CHE)
5255, avenue Decelles, Montréal, Québec H3T 1V6

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ADDENDUM TO
LIST OF MEMBERS OF THE LEGISLATIVE ASSEMBLY
AND THEIR CONSTITUENCIES

FIFTH PARLIAMENT, 1st SESSION
2nd Part: 23 February 1855 to 30 May 1855

Price, David Edward*Chicoutimi and Tadoussac, L.C.

* D.E. Price was elected on 26 April 1855, in the room of Hon. A. N. Morin, who was appointed Judge of Superior Court on 27 January 1855.

ADDENDUM TO NEWSPAPER TABLE

NEWSPAPER	DISTRICT, SECTION	LANGUAGE	POLITICAL ORIENTATION	WEEKLY DISTRIBUTION	ORIGIN OF REPORTS
HAMILTON SPECTATOR (semi-weekly)	Hamilton, U.C.	English	Conservative	Twice	Copied U.C. and L.C. newspapers
COURRIER DE SAINT HYACINTHE	St. Hyacinthe, L.C.	French	Liberal	Twice	Copied LE PAYS or translated from L.C. news- papers

ACKNOWLEDGMENTS

Danielle Blais, Carol Davison, Diane Mason, and Leigh Ogston assisted in the production of this volume. The following pages are a testimony to their careful labour and patience.

TUESDAY, 24 APRIL 1855.

(910)

MR. SPEAKER laid before the House,--Report of the Sisters of Mercy for the management of the Montreal Lying-in Hospital.

For the said Report, see Appendix (A.A.)

The following Petitions were severally brought up, and laid on the table:--

By Mr. Whitney,--The Petition of Eliza M. Hervey, Directress, and others, the Committee of the Home and School of Industry.

By Mr. Gill,--The Petition of the Reverend J. Paradis and others, of the Parish of St. François.

By Mr. Jean Baptiste Eric Dorion,--The Petition of William Moore and others, of Durham; the Petition of Noël Hébert and others, of St. Norbert d'Arthabaska; the Petition of the Reverend N. Pelletier and others, of Stanfold; and the Petition of F. Pothier and others, of Kingsey.

By Mr. Rankin,--The Petition of Edwin Larwill, M.P.P., and others, of the United Counties of Essex and Kent; and the Petition of John R. Wilkinson and others, of the Township of Mersea.

MR. AT. GEN. DRUMMOND presented several petitions from the District of Montreal, praying that a permanent Seat of Government should be fixed upon. He said that this was not a Government question, and as a member of the House he felt it to be his duty to agitate it, until he should consider it satisfactorily settled.¹

MR. BROWN.--Are the petitions printed? (Laughter.)²

MR. AT. GEN. DRUMMOND.--They are.³

MR. BROWN.--Hear! hear!--Was there a printed direction attached? (Laughter.)⁴

MR. AT. GEN. DRUMMOND.--I think the people of the District of Montreal have as good a right to sign petitions with a printed heading on the subject of the Seat of Government, as the people of Upper Canada on the subject of Commutation. (Hear, hear.)⁵ Il dit qu'il est content de voir que l'opinion publique s'agite à propos de cette question, et il espère que la manifestation en faveur d'un site permanent pour le gouvernement, pourra faire voir que le pays réprouve le système absurde et ruineux de l'ambulance.⁶

MR. COM. CR. LANDS CAUCHON rappelle son collègue à l'ordre, en disant qu'il ne doit pas y avoir de discussion sur les pétitions qui sont présentées à la chambre. Il voit que toutes ces pétitions viennent du district de Montréal, et il n'en est pas surpris; il peut même dire qu'elles sortent toutes du même bureau,--et il pourrait même le désigner au besoin,--comme les pétitions contre la clause de commutation des Réserves du Clergé sortent du bureau de l'hon. membre pour Lambton.⁷

MR. AT. GEN. DRUMMOND se lève pour présenter une nouvelle pétition.⁸

MR. COM. CR. LANDS CAUCHON.--M. l'Orateur, je demande l'ordre, car il ne doit pas y avoir de discussion à ce sujet! (Rires.)⁹

MR. AT. GEN. DRUMMOND espère que l'hon. Commissaire des Terres lui permettra bien de présenter encore une pétition et de dire quel en est le sujet. (Rires.)¹⁰

MESSRS. PAPIN et DOSTALER présentent ensuite deux pétitions sur le même sujet, des habitants du comté de Lanoraie. (Écoutez! Écoutez!)¹¹

(910)

By the Honorable Mr. Attorney General Drummond,--The Petition of John McDougall and others, of the Town of Three Rivers; the Petition of A. Kierkowski and others, of the Parish of St. Charles; and the Petition of the Reverend Joseph Beuregard and others, of the Parish of La Présentation.

By Mr. Papin,--The Petition of E.O. Piché and others, of the Parish of Lanoraie.

By Mr. Dostaler,--The Petition of T.R. Tranchemontagne and others, of the Parish of Berthier.

By Mr. Daly,--The Petition of Thomas Matheson and others, Clerks of Division Courts for the County of Perth.

By Mr. Antoine Aimé Dorion,--The Petition of Sister Ste. Jeanne de Chantal, Superior, and others, Sisters of Mercy of the Hospital of Ste. Pélagie, of the City of Montreal.

(911)

By Mr. Loranger,--The Petition of Sister Véronique du Crucifix, Superior, and others, Sisters of the Holy Names of Jesus and Mary, at Longueuil.

By Mr. Chapais,--The Petition of T.V. de Boucherville.

Ordered, That the Petition of Hiram Capron and others, of the Village of Paris, be referred to the Standing Committee on Miscellaneous Private Bills.

Mr. Sanborn reported from the Select Committee on the Bill to improve the Law relating to Betterment, and the Bill to enforce the enregistrement of Titles to Lands in the Townships of Lower Canada, and other references, That the Committee had gone through the Bill to enforce the enregistrement of Titles to Lands in the Townships of Lower Canada, and made amendments thereunto.

Ordered, That the said Bill, as amended, be printed for the use of the Members of this House.

Mr. Langton, from the Standing Committee on Standing Orders, presented to the House the Thirty-second Report of the said Committee; which was read, as followeth:--

Your Committee have examined the Petition of the Bytown and Prescott Railroad Company, praying for an amendment to their Act of Incorporation to authorize them to lease their Road, and to change the name of the Company to the Ottawa and Prescott Railway Company, and recommend, that as no interest will be affected but that of the Shareholders, the Rule relative to Notice be dispensed with.

The Petition of the Reverend Patrick Dowd and others, a Committee of the St. Patrick's Orphan Asylum of Montreal, praying for an Act of Incorporation, is not of the nature requiring the publication of Notice.

Your Committee recommend that the publication of Notice be dispensed with in respect to the Petition of the Honorable Robert Spence and others, praying for an amendment to the Act 16 Vic. cap. 54, intituled, "An Act to authorize the Town of Dundas to grant its security to the Great Western Railway Company on behalf of the Desjardins Canal Company for certain improvements on the said Canal."

Ordered, That the Evidence taken before the Select Committee appointed to examine and report upon the present system of management of the Public Lands, and the various dues arising therefrom, together with the present mode of selling, leasing, and otherwise disposing of the same, be printed for the use of the Members of this House.

Ordered, That the 62nd Rule of this House be suspended as regards a Bill to amend the provisions of the Act 16 Vic. cap. 54.

Ordered, That the Honorable Mr. Spence have leave to bring in a Bill to amend the provisions of the Act 16 Vic. cap. 54.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time To-morrow.

Ordered, That the Honorable Mr. Young have leave to bring in a Bill to incorporate the St. Patrick's Orphan Asylum of Montreal.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Thursday next.

(912)

Ordered, That the Petition of the Municipal Council of the County of Perth, Stockholders in the Buffalo, Brantford, and Goderich Railway Company, be printed for the use of the Members of this House.

Ordered, That the Honorable Mr. Chabot be added to the Select Committee to which was referred the Bill to authorize the Creditors of Public Officers to attach by Saisie Arrêt after Judgment, the Salaries and Emoluments of the said Officers, in the room of the Honorable Mr. Lemieux who has ceased to form part of the said Committee.

On motion of the Honorable Sir Allan N. MacNab, seconded by Mr. Solicitor General Smith,

Ordered, That the Orders of the day be now read.

And the Order of the day for the third reading of the Bill to confirm certain things done under the Act to confirm the Reciprocity Treaty, and for other purposes, being read;

The Bill was accordingly read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to ratify certain things done under the Act to confirm the Reciprocity Treaty, and for other purposes."

Ordered, That the Honorable Mr. Cayley do carry the Bill to the Legislative Council, and desire their concurrence.

MR. INSP. GEN. CAYLEY moved that the Report from the Committee of the Whole on the Bill to facilitate the negotiation of Municipal Debentures, be now received. He hoped the House would also allow the Bill to be read a third time and pass to-day.¹²

MR. BROWN objected to the Bill being proceeded with in so much haste. He had understood it was agreed that before the Bill was again brought up for discussion, time should be given to members to receive the opinions of their constituents on it. (Hear, hear.) It was a measure of very great importance which was to alter the whole system under which debentures were held, and it should therefore be gone about

with the utmost caution. He understood that if it now became law there were several actions coming on at the present Assizes which would be determined by it. But if time was given for its circulation through the country, so that all parties interested were made aware of it, and if no remonstrances were received on the subject, he would be prepared then to vote for the Bill.¹³

MR. HOLTON asked whether this bill would not legalize the debentures of the city of London, which, when proposed by Mr. Wilson was so strongly resisted by the Ministry.¹⁴

MR. AT. GEN. J.A. MACDONALD said no. It merely enabled debentures to pass from hand to hand like promissory notes, without the formalities which were required when holders of bonds--which was their present position--had to sue. It would be seen by the first clause that all the formalities required by the law must have been gone through in order to make the debentures come under this act.¹⁵

MR. HOLTON expressed himself satisfied with the explanation, his only doubt in regard to the Bill having been that it might be held to legalize debentures issued contrary to law.¹⁶

MR. BELLINGHAM stated that in some respects he was not altogether satisfied with the Bill.¹⁷

MR. LARWILL¹⁸ ((OR)) MR. TERRILL¹⁹ moved in amendment that the bill be referred back to the committee, with instructions to add a clause, provided that nothing in the act should make valid any municipal debentures now held by members of the Legislature. (Laughter.) He said there was a feeling abroad, that several members who were more or less identified with various Public Works, were influenced too much in their legislation by a regard for their own individual interest.²⁰

The amendment, not being seconded, fell to the ground.²¹

MR. BROWN said it was all very well for the member for Montreal to say he had no objections. His constituents were so near, that he had ample time to hear from them. But the case was different with members representing western constituencies, whose views it had been impossible to ascertain since the bill was printed. He did not mean to say that the objects of the bill were improper. Still he felt that an immense amount of property would be affected by the bill, and he was anxious to know how it was received by those whose interests it dealt with.²²

After some further conversation, the amendments made in committee were agreed to, and the bill was ordered to be read the third time to-morrow.²³

(912)

Mr. Joseph Curran Morrison reported the Bill to facilitate the negotiation of Municipal Debentures; and the amendments were read, and agreed to.

Ordered, That the Bill be read the third time To-morrow.

Mr. Terrill, from the Committee of the whole House to consider the expediency of providing for the payment of the Salary of an Auditor of Public Accounts, reported a Resolution; which was read, as followeth:--

Resolved, That it is expedient that a Salary, not exceeding the sum of Five hundred pounds, be granted for the Salary of an Auditor of Public Accounts.

Ordered, That the said Resolution be referred to the Committee of the whole House on the Bill to secure the more efficient auditing of the Public Accounts, with power to make provision therein, pursuant thereto.

Mr. Chisholm reported the Bill to abolish Postage on Newspapers published within the Province of Canada, and for other purposes connected with the Post Office Department of this Province; and the amendments were read, and agreed to.

Ordered, That the Bill be read the third time To-morrow.

The House, according to Order, again resolved itself into a Committee on the Bill to secure the more efficient auditing of the Public Accounts; and after some time spent therein, Mr. Speaker resumed the Chair, and Mr. James Smith reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. James Smith reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill be read the third time To-morrow.

The Order of the day for the second reading of the Bill to increase the Capital Stock of the City of Kingston Water Works Company, being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

(913)

The Order of the day for the second reading of the Bill to authorize the City of Hamilton to negotiate a Loan of Fifty thousand pounds, being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

The Order of the day for the second reading of the Bill to confirm the present boundaries of certain Lots in the Township of Winchester, being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

The Order of the day for the second reading of the Bill further to amend the Act, intituled, "An Act for the management and relief of certain persons therein named, and others, and authorizing them to associate themselves by the name of 'The Quebec Benevolent Society,' under certain restrictions, rules, and regulations therein mentioned," being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

The Order of the day for the second reading of the Bill to amend the Act 16 Vic. cap. 54, being read;

Ordered, That the said Order be discharged.

The Order of the day for the second reading of the Bill to amend the Parliamentary Representation Act of 1853, being read;

The Bill was accordingly read a second time; and ordered to be read the third time To-morrow.

The Honorable Mr. Cartier, one of Her Majesty's Executive Council, presented, pursuant to Addresses to His Excellency the Governor General,--Return to an Address

from the Legislative Assembly of the 26th ultimo, for Statement of certain monies in the hands of the Prothonotaries and Sheriffs of Montreal and Quebec.

For the said Return, see Appendix (V.V.V.)

Return to two Addresses from the Legislative Assembly of the 8th November last, for Statement and information respecting the Longueuil and Chambly Road, and respecting the Granby Road.

For the said Return, see Appendix (W.W.W.)

Return to an Address from the Legislative Assembly of the 22nd ultimo, for copies of Correspondence, and other information relative to Schools in the Ottawa District, which may have taken place between the Superintendent of Education, Canada East, and the Inspector of Schools for the District of Ottawa, since the date of the Inspector's appointment.

For the said Return, see Appendix (B.)

The House went into Committee upon the elective Legislative Council bill²⁴.

MR. COM. CR. LANDS CAUCHON moved²⁵ the 4th clause, which provides that the elective members shall be elected for eight years.²⁶

MR. A. DORION (Montreal) proposed a term of four years²⁷. Il rappela à M. Lemieux qu'il avait voté, il n'y a que quelques mois encore, en faveur d'un amendement au bill de M. Morin proposé par M. Laurin, demandant que le mandat fût limité à quatre ans, et il espérait bien qu'il voterait en faveur de cet amendement, si même il ne voulait pas le seconder.²⁸

MR. COM. PUB. WORKS LEMIEUX ((dit)) que le tems était passé de voter pour quatre ans et que sa position était changée²⁹.

The motion having ... been lost, MR. A. DORION moved again, that the term be reduced to six years.³⁰ He said that public opinion had been expressed in favour of this period. The original resolution of Mr. Morin provided a term of 9 years, but the House of Assembly expressed a strong feeling against that period as too long, and it was reduced to 6 years, and that too, although those resolutions provided for a power of dissolution which was not in the present Bill. He would warn ministers that they would be the first to experience the difficulty of this lengthened period, unaccompanied by the power of dissolution. (Hear, hear.)³¹

MR. RANKIN denied that public opinion had been expressed in favour of six years. He believed there never had been any expression of public opinion at all on the subject of an Elective Council--(hear, hear)--except in so far as it was expressed by the vote of a majority in Parliament. The question of an Elective Council had never been made a test question at any election. (Hear, hear.) He had strong doubts in fact, whether if the question were fairly submitted to the people of Canada, a majority would be found in favour of the principle of an Elective Council. (Hear, hear.) His own opinion, however, was strongly and unequivocally in favour of it, for he recognized no other sovereignty than that of the people. Even in England monarchy was only permitted to exist because it was acceptable to the people. The member for Montreal seemed to be in favour of short periods of election for the Legislative Council. He (Mr. Rankin) could not agree with him in that view. It had been his lot to travel a great deal in the United States, besides having lived for

17 years on its very borders, and he had no hesitation in asserting that, if there was one thing the more rational and reflecting portion of the people of the United States complained of more than another, it was the frequent changes that were caused by annual elections. Frequent elections might at first sight appear to be a very fine thing, but he apprehended that his hon. friend from Montreal had taken his ideas more from theory than from practical observation. For his own part he was in favour of the members of the Upper House being elected for 8 years, rather than 6. If 8 years were found too long, the period could afterwards be diminished, but, if they fixed upon a short period, and found that practical evils resulted from it, it would be a much more difficult matter to retrace their steps in the other direction. He desired to see the time arrive when they should have an Elective Governor, and he had no doubt that this Bill would lead to it, for he believed with the hon. member for Lambton that it would be impossible long to work two Elective Chambers without an Elective Governor.³²

MR. MACKENZIE said he had stopped a while among the Yankees as well as the last speaker, and he utterly denied that they made any complaint of being troubled too often with the election of their own officers. He was the correspondent of the New York Tribune for 127 days, during which the New York State Convention of 128 of their very best men were engaged in framing a constitution, and the question of having a longer period of service than two years for the Senate, and one year for the Assembly, was not once mooted.³³ The best proof of the direction of public opinion there was to be found in the fact that through the whole thirty states there was not one single legislative body elected for a long term.³⁴

((MR. COM. CR. LANDS CAUCHON:)) Si vous acceptez ces amendements ... il faudra tout refaire la partie du bill qui se rattache à cette clause, et ce sera trop d'ouvrage.³⁵

Mr. Dorion's amendment was negatived, and the clause passed as it originally stood.³⁶

MR. BROWN raised the question whether, as they were resolved on a change of the constitution of the Upper Chamber, a more suitable name could not be found than that of the Legislative Council. He would suggest that it might be called the Senate of Canada. (Hear, hear.)³⁷

MR. COM. CR. LANDS CAUCHON.--I thought the honourable gentleman was very much afraid of doing anything that would bring us nearer to the United States?³⁸

MR. BROWN.--I have no fear at all of the United States. I believe the people of this country know their own position too well, to be desirous of getting any nearer to the United States than they are at present. The people of this country understand very well that they are much better off than the people of the United States. (Hear, hear.) I am not in the least afraid, therefore, of taking any name that may suit us, whether it be from the United States or from any other country. And if you wish to give this body a high standing in the country, I think it would be desirable to give it a more appropriate name.³⁹

An honourable gentleman near him said, "What's in a name?"⁴⁰

((MR. BROWN continued:)) Even a name carries something with it. A Senator of Canada would have his position at once understood, but to say that a man was a

Legislative Councillor would convey no definite idea to a stranger until the functions of the body to which he belonged were explained.⁴¹

MR. COM. CR. LANDS CAUCHON was opposed to any change of name. The honourable member for Lambton said he was not afraid of our getting any nearer to the United States than we now are. He only wished the whole House were of the same mind.⁴²

MR. FELTON supported Mr. Brown's idea of calling the Upper House the Senate of Canada. Names were sometimes very important things.⁴³

MR. LORANGER also spoke in favor of it. The term Legislative Councillors did not properly express what the gentlemen of the Upper House would in future be. A Legislative Councillor was one who counselled the Queen, who called him to her Council, to advise her as to legislation. It was a very appropriate designation of the present body, but would no longer be so when the Upper House was elected by the people. He thought the term Senator would correspond both to the gravity of the gentlemen who would be in the Upper House, and to the dignity of the people who sent them there. (Hear, hear.)⁴⁴

MR. AT. GEN. J.A. MACDONALD said the law would not allow a change in the name. This House could not alter it, without making special application to Parliament for authority to do so. In all the colonies of Great Britain, where there were two branches of the Legislature, one of them was always called the Legislative Council; and he did not see any good end to be gained by changing the name.⁴⁵

MR. BROWN said it was a mere technical objection that had been raised by the Attorney-General; and it was very evident that, if it was thought desirable here to change the name, the Imperial Parliament would allow them in that matter to do as they liked. (Hear, hear.) If they had power to change the constitution, surely they might change the name.⁴⁶

MR. J.S. MACDONALD (Glengary) would like the name changed to Senate, if they had the power to do so.⁴⁷

After some further conversation, the question was allowed to drop.⁴⁸

A long discussion took place on the 7th clause, providing that "no member of one House shall be elected a member of the other."⁴⁹

((It was)) opposed by MESSRS. CAMERON, LORANGER and others on the ground that the people should have the right to choose a sitting member of the Assembly ... into the Council without compelling him to resign his seat in the Lower House until elected to the other. The people should be free to choose such members, but they could not secure their services if they were compelled to resign their seats before becoming eligible.⁵⁰

MR. MACKENZIE and various members of the opposition supported the clause as it stood, as it prevents men from losing time which should be given to their duties in the Assembly to a canvass for the Council. The Houses they contended should be kept as entirely distinct as possible.⁵¹ Un membre de la chambre, qui se présenterait à une élection pour le conseil, aurait un grand avantage sur son adversaire, par l'influence que lui rapporterait sa qualité de représentant, ce qui, avec

l'influence du gouvernement, lui permettrait de s'imposer presque à un collège électoral.⁵²

The clause was adopted by the Committee as it stood in the bill.⁵³

The 29th clause also, providing for the appointment of the Speaker of the Legislative Council by the Governor as heretofore, was very fully discussed.⁵⁴

This provision of the bill having been defended by MR. SOL. GEN. H. SMITH,⁵⁵

The hon. gentleman was taken very severely to task for his inconsistency by MR. BROWN, who read from the journals of the House a motion, which was seconded and ably supported by the hon. gentleman, that the Speaker should be elected by the members of the Council.⁵⁶

À cette clause MR. A. DORION (de Montréal) proposa, en amendement, que l'orateur du conseil soit élu par les membres de ce corps, au lieu d'être un membre du gouvernement, comme à-présent. Il fit voir l'anomalie et l'absurdité qu'il y aurait dans le fait, qu'un corps électif ne pourrait pas élire son président, car un président nommé par la couronne, qui serait partisan politique, et qui prendrait une grande part dans les discussions, ne pourrait pas posséder le respect et la confiance qui lui seraient nécessaires pour occuper son poste avec dignité.⁵⁷

The clause ... ((was)) defended as analogous to the appointment of the Chancellor in England, and the presidency over the Senate of the United States by the Vice President, and those of the several States by the Lt.-Governor, not members representing constituencies in those bodies.⁵⁸

It was also defended by MR. HINCKS as affording the Government of the day a necessary and legitimate influence and convenience in carrying its measures through the Upper House.⁵⁹

Cette argumentation fut vivement combattue par MR. DORION, MR. PAPIN, MR. J.S. MACDONALD (de Glengarry), MR. LORANGER, etc.⁶⁰

The clause was also carried as it stood upon a provisoen (sic).⁶¹

On the clause requiring a property qualification of 1000L being proposed,⁶²

MR. MACKENZIE opposed it as absurd, and quoted Franklin(('s)) exposure of the idea thus:--"In Philadelphia there was a property qualification for voters in those days of \$50. Suppose said Franklin a voter came to the poll riding on a donkey his sole property worth \$50, suppose the donkey died on the road--the man could not vote. Query.--then was it the man or the donkey who voted.⁶³

Thirty-one clauses of the bill having been got through, the 32d only remained, which abolishes the property qualification of members of the Legislative Assembly.⁶⁴

MR. COM. CR. LANDS CAUCHON moved that the Committee rise, report progress, and ask leave to sit again.⁶⁵

MESSRS. BROWN and HOLTON asked why the last clause, also, was not adopted? It certainly would meet with no opposition on their part.⁶⁶

MR. AT. GEN. J.A. MACDONALD.--Perhaps not; but it may meet with opposition from gentlemen on whose support the Government rely rather more than on that of the hon. member for Lambton and the hon. member for Montreal. (Laughter.)⁶⁷

The Committee accordingly rose, and obtained leave to sit again.⁶⁸

(913)

The House, according to Order, again resolved itself into a Committee on the Bill to amend the Imperial Act re-uniting the Provinces of Upper and Lower Canada; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Terrill reported, That the Committee had made some progress, and directed him to move for leave to sit again.

Ordered, That the Committee have leave to sit again To-morrow.

MR. BOWES.--Before the House adjourns I wish to read a telegraph despatch I have received to-day from Toronto. In the discussion yesterday the member for Norfolk (Dr. Rolph) stated that the dismissal of Drs. Wright and Aikins was by a quorum made up by a telegraph from myself. Not being aware of the facts, I telegraphed for information, and this is the answer I received--"All were present on the occasion but yourself."⁶⁹

Cheers from the ministerial benches.⁷⁰

MR. HARTMAN.--I also hold in my hand a telegraph, and will read it--"Widmer, Clarkson and Bowes who telegraphed his vote, voted against us--Beaty and Doel for us."⁷¹

Loud cries of hear hear from the opposition.⁷²

((MR. HARTMAN continued:)) It appears, therefore, as was stated, that these gentlemen were actually dismissed by the telegraph from Mr. Bowes. (Hear, hear.)⁷³

MR. MACKENZIE.--And I have a letter saying that Beaty and Doel actually did vote as is stated in that telegraph. (Hear, hear.)⁷⁴

(914)

Then, on motion of the Honorable Sir Allan N. MacNab, seconded by Mr. Solicitor General Smith,

*The House adjourned.*⁷⁵

((POSTPONED MOTION RE: HAMILTON COLLEGE.))

MR. PRES. EX. COUN. MACNAB moved the second reading of the bill to establish a College at Hamilton.⁷⁶

MR. MACKENZIE.--I object to it, as I have only got the printed bill into my hands this moment, and have not had time to read it.⁷⁷

MR. BROWN was in favour of the second reading of the bill, although he did not think it was at present in a shape that the people of Hamilton wanted, or this house would pass. But he voted for the second reading in the hope that the special committee to whom it was to be referred would bring it back in a form that would be acceptable to all parties.⁷⁸

MR. MACKENZIE persisted in his objection, and said that if the Premier would not allow him a day to consider it, he would insist that it be printed in French, which would necessarily enforce its being delayed.⁷⁹

MR. PRES. EX. COUN. MACNAB ...⁸⁰

MR. MACKENZIE.--I have not been in a good humour since I read the Inspector General's resolution to give 900,000L sterling to the Grand Trunk. That choaked me. (Laughter.)⁸¹

The order for the second reading of the bill was accordingly postponed till to-morrow.⁸²

((POSTPONED MOTION RE: PRINTING OF CONTRACTS FOR THE GRAND TRUNK RAILWAY.))

MR. BROWN moved that the contracts sent down to the house to-day be printed for the use of members.⁸³

MR. PRES. EX. COUN. MACNAB did not think it would be fair to press for the printing of these papers without the consent of the contractors themselves, who had simply furnished them for the inspection of members.⁸⁴

MR. BROWN.--If the papers had not been received in such a way, as to allow of their being printed like other papers laid on the table of the House, I will not press my motion. But if they have been fairly laid on the table like any other documents, I do not see how it can be objected to.⁸⁵

MR. PRES. EX. COUN. MACNAB.--I will state to-morrow whether or not they can be printed, after having consulted with the parties themselves.⁸⁶

MR. HINCKS thought it most unfair, that when those papers had been brought down for the inspection of members, advantage should be immediately taken of it to bring in a motion to have them printed.⁸⁷

MR. BROWN said he had not been aware that the papers had been placed on the table in any such way. And now that it had been explained, he considered the House

was placed in a most improper position to have those papers laid before them, while they were prevented from using them in the most public manner they chose. Nearly four millions of pounds of the public money would be invested in this work if the vote now proposed be adopted, and the public, he considered, ought to know everything about it.⁸⁸

MR. PRES. EX. COUN. MACNAB.--I am just as anxious that there should be the fullest publicity as the hon. member for Lambton.⁸⁹

After some further consideration the motion was postponed on the understanding that the Government would ascertain whether the documents could be printed, and that in the meantime the 900,000L resolutions would not come up for discussion.⁹⁰

FOOTNOTES: 24 April 1855.

1. GLOBE, 3 May 1855.
2. IBID.
3. IBID.
4. IBID.
5. IBID.
6. LE PAYS, 28 April 1855.
7. IBID.
8. IBID.
9. IBID.
10. IBID.
11. IBID.
12. GLOBE, 3 May 1855. MORNING CHRONICLE, 30 April 1855, and MONTREAL GAZETTE, 28 April 1855, report the motion as having been moved by Attorney General J.A. Macdonald.
13. GLOBE, 3 May 1855.
14. MORNING CHRONICLE, 30 April 1855.
15. IBID.
16. GLOBE, 3 May 1855.
17. IBID.
18. IBID.
19. MORNING CHRONICLE, 30 April 1855.
20. GLOBE, 3 May 1855.
21. IBID.
22. IBID.
23. IBID.
24. MORNING CHRONICLE, 30 April 1855.
25. IBID.
26. GLOBE, 3 May 1855.
27. IBID.
28. LE PAYS, 1 May 1855. MORNING CHRONICLE, 30 April 1855, and MONTREAL GAZETTE, 28 April 1855, have attributed this speech to Mr. Cauchon. Furthermore, these newspapers, which carry the same account of the debate, report a different version of this speech, which reads as follows: "On a previous occasion the present Commissioner of Public Works had moved an amendment tending to reduce the term to six years."
29. LE PAYS, 1 May 1855.
30. MORNING CHRONICLE, 30 April 1855.
31. GLOBE, 3 May 1855.
32. IBID.
33. IBID.
34. MORNING CHRONICLE, 30 April 1855.
35. LE PAYS, 1 May 1855. This speech appears in LE PAYS, 1 May 1855, as part of a commentary. It was placed here even though it is unclear when exactly Mr. Cauchon intervened. This speaker makes reference to both of Mr. A. Dorion's motions, e.g. to amend the terms to four years, and to six years.
36. GLOBE, 3 May 1855.
37. IBID.
38. IBID.
39. IBID.

40. IBID.
41. IBID.
42. IBID.
43. IBID.
44. IBID.
45. IBID.
46. IBID.
47. IBID.
48. IBID.
49. IBID.
50. MORNING CHRONICLE, 30 April 1855.
51. MONTREAL GAZETTE, 28 April 1855.
52. LE PAYS, 1 May 1855.
53. MORNING CHRONICLE, 30 April 1855.
54. GLOBE, 3 May 1855.
55. IBID.
56. IBID.
57. LE PAYS, 1 May 1855.
58. MORNING CHRONICLE, 30 April 1855. TORONTO DAILY LEADER, 30 April 1855, reports a different account concerning this clause, which reads: "Considerable discussion took place about the Speaker of the Council being a member of the Government. Mr. Brown did not like it, nor Mr. Macdonald. They forgot that the Lord Chancellor of England is the Speaker of the House of Lords, and the Vice President of the United States the Speaker of the Senate."
59. MORNING CHRONICLE, 30 April 1855.
60. LE PAYS, 1 May 1855. The newspaper does not specify whether it is Mr. J. Dorion or Mr. A. Dorion who spoke at this point.
61. MORNING CHRONICLE, 30 April 1855.
62. MORNING CHRONICLE, 30 April 1855. This clause refers to a property qualification for electors of Legislative Councillors. As per the final Act, (Vic. 19 & 20, Cap. 140) "the electors of Legislative Councillors shall, as regards their qualification, be the same as those of Members of the Legislative Assembly". The Act also stipulates a property qualification for members of the Legislative Council of 2000L.
63. MORNING CHRONICLE, 30 April 1855.
64. GLOBE, 3 May 1855.
65. IBID.
66. IBID.
67. IBID.
68. IBID.
69. IBID.
70. IBID.
71. IBID.
72. IBID.
73. IBID.
74. IBID.
75. MORNING CHRONICLE, 30 April 1855, reports: "The House adjourned at near midnight."
76. GLOBE, 3 May 1855.
77. IBID.
78. IBID.
79. IBID.

80. GLOBE, 3 May 1855. The ellipsis represents illegible text.
81. GLOBE, 3 May 1855.
82. IBID.
83. IBID.
84. IBID.
85. IBID.
86. GLOBE, 3 May 1855 (in Scrapbook Hansard). This speech by Mr. MacNab is illegible in GLOBE, 3 May 1855.
87. GLOBE, 3 May 1855.
88. IBID.
89. IBID.
90. IBID.

WEDNESDAY, 25 APRIL 1855.

(914)

MR. Speaker laid before the House,--Statement of the Affairs of the Canada West Farmers' Mutual Stock and Insurance Company, for the year ending 17th November, 1854.

For the said Statement, see Appendix (E.E.)

The following Petitions were severally brought up, and laid on the table:--

By the Honorable Mr. Chabot,--The Petition of William Eadon and others, of the City of Quebec.

By Mr. Matheson,--The Petition of Helen Keith Taylor, of Beachville, County of Oxford.

By Mr. Chapais,--The Petition of the Reverend N. Bélanger and others, of the Parish of St. Arsène de Kakouma.

By Mr. Dionne,--The Petition of the Reverend J. Bte. Gagnon, Curé, and others, of the Parish of L'Isle Verte, and the Township of Viger, County of Temiscouata.

By the Honorable Mr. Chauveau,--The Petition of Messieurs Wood, Petry, Poitras and Company, and others, residing on the St. Lewis Road and the Coves; and the Petition of the Reverend E. Payment and others, of the Parish of Charlesbourg, in the County of Quebec.

By Mr. Mackenzie,--The Petition of Joseph Lifton and others, of the County of Middlesex.

Pursuant to the Order of the day, the following Petitions were read:--

Of the Reverend P.A. Sylvestre, Curé, and others, of the Parish of St. Dominique; of T. Paré and others, of the Parish of Ste. Rose, Isle Jésus; of F.X. Perrault and others, of the Parish of Pointe aux Trembles; and of E. Dauphin and others, of the Parish of Sault au Recollet; praying that a permanent Seat of Government may be established.

Of F.B. Tranchemontagne and others, Censitaires, of the County of Berthier; praying for certain amendments to the Seigniorial Tenure Act.

Of William Ford and others, of the Township of Moore, County of Lambton; and of James Coleman and others, of the North Riding of the County of Wentworth; praying that the discretionary power of commutation may not be exercised in carrying out the provisions of the Clergy Reserves Act.

Of A. Stein and others, of St. Christophe; praying that the Counties of Drummond and Arthabaska may be united to those of Sherbrooke and Wolfe, for the election of a Member for the Legislative Council.

On motion of the Honorable Mr. Chabot, seconded by Mr. Felton,

Ordered, That the Petition of William Eadon and others, of the City of Quebec, be now received and read, and the Rules of this House suspended as regards the same;

And the said Petition was received and read; praying to be incorporated as the Quebec Masonic Hall Association.

(915)

Ordered, That the Return relative to the Long((u))eul and Chambly Road and the Granby Road, presented yesterday, be printed for the use of the Members of this House.

On motion of the Honorable Mr. Chabot, seconded by Mr. Felton,

Ordered, That the 62nd Rule of this House be suspended as regards the Bill from the Legislative Council, intituled, "An Act to incorporate the Quebec Masonic Hall Association."

Ordered, That the Bill from the Legislative Council, intituled, "An Act to incorporate the Quebec Masonic Hall Association," be now read the first time.

The Bill was accordingly read the first time; and ordered to be read a second time To-morrow.

Ordered, That the Honorable Mr. Chabot be added to the Special Committee to which was referred the Letter of the Clerk of the House in reference to the appointment of an additional Clerk Assistant, in the room of the Honorable Mr. Lemieux who has ceased to form part of the said Committee.

Ordered, That Mr. Alleyn have leave to bring in a Bill to amend the Act incorporating the Quebec Fire Assurance Company, and to facilitate the management of the business of the said Company.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Thursday the third day of May next.

Ordered, That the 62nd Rule of this House be suspended as regards a Bill to amend the Act to incorporate the Bytown and Prescott Railway Company, and to change the name thereof.

Ordered, That Mr. Patrick have leave to bring in a Bill to amend the Act to incorporate the Bytown and Prescott Railway Company, and to change the name thereof.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time To-morrow.

On motion of Mr. Alleyn, seconded by Mr. Bell,

Ordered, That the Bill from the Legislative Council, intituled, "An Act to provide for an increase of the Capital Stock of the Quebec Gas Company," be now read the first time.

The Bill was accordingly read the first time; and ordered to be read a second time To-morrow.

Mr. James Smith moved, seconded by Mr. Langton, and the Question being put, That the Petition of Donald Cameron, of Thorah, praying the adoption of certain measures to obtain for him and his followers the issue of Deeds of Lands for which they have received Location Tickets, be referred to a Select Committee, composed of the Honorable Mr. Cameron, Mr. Gould, Mr. Hartman, Mr. Joseph Curran Morrison, and the mover, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records; the House divided: and the names being called for, they were taken down, as follow:--

(915-916)

YEAS.

Messieurs Aikins, Bellingham, Biggar, Brown, Bureau, Cameron, Christie, Church, Cook, Crysler, Daly, Charles Daoust, Darche, DeLong, Jean B.E. Dorion, Antoine A. Dorion, Felton, Foley, Frazer, Freeman, Galt, Gould, Hartman, Holton, Jackson, Jobin, Laberge, Langton, John S. Macdonald, Roderick McDonald, Mackenzie,

Marchildon, Matheson, Mattice, Munro, Papin, Patrick, Prévost, Rankin, Rolph, Sanborn, Scatcherd, Sidney Smith, James Smith, Terrill, and Wright.--(46.)

(916)

NAYS.

Messieurs Bell, Blanchet, Brodeur, Casault, Chabot, Chapais, Clarke, Jean B. Daoust, Desaulniers, DeWitt, Dionne, Attorney General Drummond, Dufresne, Ferrie, Thomas Fortier, Octave C. Fortier, Fournier, Gamble, Gill, Guévremont, Labelle, Larwill, LeBoutillier, Lemieux, Lumsden, Macbeth, Sir A.N. MacNab, McCann, Masson, Mongenais, Poulin, Pouliot, Shaw, Solicitor General Smith, Somerville, Spence, Stevenson, Thibaudeau, Whitney, and Yeilding.--(40.)

So it was resolved in the Affirmative.

Ordered, That the Public Accounts for the year 1854, laid before the House on Saturday last, be referred to the Standing Committee on Public Accounts.

Ordered, That the Return relative to the Employés in the Public Departments, presented on Friday last, be referred to the Standing Committee on Public Accounts.

The Honorable Mr. Cartier, one of Her Majesty's Executive Council, presented, pursuant to Addresses to His Excellency the Governor General,--Return to an Address of the Legislative Assembly of the 8th ultimo, for copies of Report on complaints preferred against Mr. G.L. Marler, J.P., and Statement of expense of the said Report.

For the said Return, see Appendix (X.X.X.)

Return to an Address from the Legislative Assembly of the 22nd ultimo, for certain information relative to the improvement of the works of the Rapids Ste. Anne.

For the said Return, see Appendix (G.G.G.)

Return to an Address from the Legislative Assembly of the 25th September, 1854, for Statements relative to claims of Sufferers by the inundation on both sides of Lake St. Francis above the Beauharnois Canal, and expenses consequent upon the investigation of the same; and also, with reference to the Public Highways on both sides of Lake St. Francis.

For the said Return, see Appendix (Y.Y.Y.)

The Honorable Mr. Cartier presented, by Command of His Excellency the Governor General,--Reports of the Medical Superintendent and Visiting Commissioners of the Provincial Lunatic Asylum at Toronto.

For the said Reports, see Appendix (H.)

The Honorable Mr. Cayley, one of Her Majesty's Executive Council, delivered to

(917)

Mr. Speaker a Message from His Excellency the Governor General, signed by His Excellency.

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered; and is as followeth:--

Edmund Head.

The Governor General transmits to the Legislative Assembly, a Statement of the probable Revenue and Expenditure of the Province during the year ending 31st December, 1855, together with Estimates of the sums required for the service of the same

year; and in conformity with the provisions of the fifty-seventh Clause of the Union Act, he recommends these Estimates to the House of Assembly.

Government House,

Quebec, 25th April, 1855.

For the Statement and Estimates accompanying the said Message, see Appendix (D.)

Ordered, That the 67th Rule of this House be suspended as regards the Bill to amend the Act of the present Session, intituled, "An Act to authorize the sale of certain Lands described as Lots numbers five and six Division A, of the Township of Guelph, and the re-investment of the proceeds for the objects of the Trust" by substituting another Trustee in lieu of the Trustees nominated by the said Act.

Ordered, That Mr. Cook have leave to bring in a Bill to divide the Township of Norwich into two separate Municipalities.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time To-morrow.

On motion of the Honorable Sir Allan N. MacNab, seconded by Mr. Solicitor General Smith,

Ordered, That the Orders of the day be now read.

MR. INSP. GEN. CAYLEY moved the third reading of the Bill to facilitate the negociation of Municipal Debentures.¹

MR. BROWN repeated the objections he had urged at two previous stages of the Bill, to its being pushed through without allowing members an opportunity of learning how it was received by those who were affected by it. He would throw the whole responsibility upon the Government, of passing a Bill by which the position of so very large an amount of property was completely altered.²

The Bill was then read the third time and passed.³

(917)

And the Order of the day for the third reading of the Bill to facilitate the negotiation of Municipal Debentures, being read;

The Bill was accordingly read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Cayley do carry the Bill to the Legislative Council, and desire their concurrence.

On motion of MR. INSP. GEN. CAYLEY,⁴

(917)

A Bill to secure the more efficient auditing of the Public Accounts, was, according to Order, read the third time.

Mr. Mackenzie moved, seconded by Mr. Holton, and the Question being put, That the words "and the Receiver General shall, in January and July of each year, publish in the Canada Gazette, a list of the names of such Banks or Parties, as shall be thus constituted sub-treasurers or depositories of the Public Revenue, or of a part thereof; and shall also notify the public when any such Bank, Party or Agent has ceased to be employed as such depository or sub-treasury, and when any new appointment of a like nature may have taken place" be added at the end of the 9th Clause of the Bill; the House divided:--And it passed in the Negative.

Mr. Mackenzie moved, seconded by Mr. Darche, and the Question being put, That the words "Every Educational, Literary, Scientific, and Charitable Institution, and every Asylum, is also hereby required to transmit, as a part of its Annual Report, a full account in detail of its receipts and expenditures during the year; and also an account of the number of children who may have been gratuitously instructed at any such Educational Institution, and who have been maintained free of charges at any

(918)

such Charitable Establishment or Asylum" be added at the end of the 13th Clause of the Bill; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Aikins, Biggar, Brown, Christie, Cook, Darche, DeWitt, Jean B.E. Dorion, Fergusson, Ferrie, Frazer, Hartman, John S. Macdonald, Mackenzie, Mattice, Merritt, Munro, Rolph, Scatcherd, Sidney Smith, and Wright.--(21.)

NAYS.

Messieurs Bell, Bellingham, Blanchet, Bourassa, Brodeur, Bureau, Cameron, Cartier, Cauchon, Cayley, Chabot, Chapais, Chisholm, Church, Clarke, Crawford, Crysler, Daly, Charles Daoust, Jean B. Daoust, Desaulniers, Dionne, Antoine A. Dorion, Postaler, Attorney General Drenmond, Dufresne, Fellon, Thomas Fortier, Octave C. Fortier, Fournier, Galt, Gamble, Gill, Gould, Guévremont, Holton, Jackson, John, Labelle, Laberge, Langton, Laporte, LeBoutillier, Lemieux, Loranger, Lumsden, Macbeth, Attorney General Macdonald, Roderick McDonald, Sir A.N. MacNab, McCann, Marchildon, Masson, Matheson, Meagher, Mongenais, Joseph C. Morrison, Angus Morrison, Mumey, O'Farrell, Papin, Patrick, Poulin, Pouliot, Powell, Prévost, Robinson, Solicitor General Ross, James Ross, Sanborn, Shaw, Solicitor General Smith, Spence, Stevenson, Thibaudeau, Turcotte, and Whitney.--(77.)

So it passed in the Negative.

Mr. Mackenzie moved, seconded by Mr. Christie, and the Question being put, That the words "all of whom are hereby required to be present at meetings of the Board to examine any person on oath or affirmation on any matter pertinent to any account submitted to it for audit" be added at the end of the 2nd Clause of the Bill;

((MR. MACKENZIE)) explained, ... the object of this motion ... was that, as the audit Board was constituted into a court, empowered to summon witnesses from all parts of the country, and examination on oath, the whole Board might be present on every occasion that they acted in that capacity.⁵

(918)

the House divided:--And it passed in the Negative.

Mr. Mackenzie moved, seconded by Mr. Christie, and the Question being put, That the words "but no Warrant thus issued shall in any case be paid at such Bank, unless it contains a certificate, signed by the Inspector General, or his Deputy duly authorized thereunto, that such Warrant is sanctioned by law, and naming the Statute giving the authority" be added at the end of the 11th Clause of the Bill; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Aikins, Bourassa, Brown, Bureau, Christie, Charles Daoust, DeWitt, Jean B.E. Dorion, Antoine A. Dorion, Ferrie, Foley, Frazer, Hartman, Holton, Huot,

Jobin, John S. Macdonald, Mackenzie, Marchildon, Merritt, Munro, Papin, Prévost, Rolph, Sanborn, Scatcherd, and Wright.--(27.)

(919)

NAYS.

Messieurs Bell, Bellingham, Biggar, Blanchet, Brodeur, Cameron, Cartier, Cayley, Chabot, Chapais, Chisholm, Church, Clarke, Cook, Crawford, Crysler, Daly, Jean B. Daoust, DeLong, Desaulniers, Dionne, Dostaler, Dufresne, Felton, Ferres, Thomas Fortier, Octave C. Fortier, Fournier, Galt, Gamble, Gill, Gould, Guévremont, Hincks, Jackson, Labelle, Langton, Laporte, LeBoutillier, Lemieux, Loranger, Lumsden, Macbeth, Attorney General Macdonald, Sir A.N. MacNab, McCann, Masson, Matheson, Meagher, Joseph C. Morrison, Angus Morrison, O'Farrell, Patrick, Poulin, Pouliot, Rhodes, Robinson, Solicitor General Ross, James Ross, Shaw, Solicitor General Smith, Somerville, Spence, Stevenson, Terrill, Thibaudeau, Turcotte, and Whitney.--(68.)

So it passed in the Negative.

Mr. Pouliot moved, seconded by Mr. Thibaudeau, and the Question being put, That the Bill be amended, by leaving out the words "or in part" in the 5th line of the 13th Clause; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bureau, Desaulniers, Octave C. Fortier, Guévremont, Laporte, Pouliot, Thibaudeau, and Turcotte.--(8.)

NAYS.

Messieurs Aikins, Bell, Bellingham, Biggar, Blanchet, Bourassa, Brodeur, Brown, Burton, Cameron, Cartier, Casault, Cayley, Chabot, Chapais, Chisholm, Christie, Church, Clarke, Cook, Crawford, Crysler, Daly, Charles Daoust, Jean B. Daoust, Darche, DeLong, DeWitt, Dionne, Jean B.E. Dorion, Antoine A. Dorion, Dostaler, Dufresne, Felton, Ferres, Ferrie, Foley, Thomas Fortier, Fournier, Frazer, Galt, Gamble, Gould, Hartman, Hincks, Holton, Huot, Jackson, Jobin, Labelle, Laberge, Langton, Lemieux, Loranger, Lumsden, Macbeth, John S. Macdonald, Attorney General Macdonald, Roderick McDonald, Mackenzie, Sir A.N. MacNab, McCann, Marchildon, Matheson, Meagher, Joseph C. Morrison, Angus Morrison, Munro, Papin, Patrick, Prévost, Rhodes, Robinson, Rolph, Solicitor General Ross, James Ross, Sanborn, Scatcherd, Shaw, Solicitor General Smith, Sidney Smith, James Smith, Somerville, Spence, Stevenson, Terrill, Whitney, and Wright.--(88.)

So it passed in the Negative.⁶

Mr. Pouliot moved, seconded by Mr. Thibaudeau, and the Question being put, That the Bill be amended, by leaving out from the word "Reports" in the 7th line of the 13th Clause to the end thereof, and inserting the words "of the manner in which the

(920)

said public monies have been applied and expended, without prejudice to the provisions of the School Law, in accordance with which certain annual Returns of the Superintendent of Education, and of the Inspectors of Schools, shall continue to be made as heretofore respecting the Institutions under their control" instead thereof; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bureau, Chauveau, Desaulniers, Octave C. Fortier, Guévremont, Jobin, Masson, Pouliot, Prévost, Thibaudeau, and Turcotte.--(11.)

NAYS.

Messieurs Aikins, Alleyn, Bell, Bellingham, Biggar, Blanchet, Bourassa, Brodeur, Brown, Cameron, Cartier, Casault, Cauchon, Cayley, Chabot, Chapais, Chisholm, Christie, Church, Clarke, Cook, Crawford, Crysler, Daly, Charles Daoust, Jean B. Daoust, Darvic, DeLong, DeWitt, Dionne, Jean B.E. Dorion, Antoine A. Dorion, Dostaler, Attorney General Drummond, Dufresne, Fergusson, Ferres, Ferrie, Foley, Thomas Fortier, Fournier, Galt, Gamble, Gould, Hartman, Hincks, Holton, Huot, Jackson, Labelle, Laberge, Langton, Larwill, Lemieux, Loranger, Lumsden, Macbeth, John S. Macdonald, Attorney General Macdonald, Roderick McDonald, Mackenzie, Sir A.N. MacNab, McCann, Marchildon, Matheson, Mattice, Meagher, Mongenais, Joseph C. Morrison, Angus Morrison, Munro, Murney, O'Farrell, Papin, Patrick, Poulin, Rhodes, Robinson, James Ross, Sanborn, Scatcherd, Shaw, Solicitor General Smith, Sidney Smith, Somerville, Spence, Stevenson, Terrill, and Wright.--(89.)

So it passed in the Negative.

The Honorable Mr. Chauveau moved, seconded by Mr. Thibaudeau, and the Question being put, That the 13th Clause of the Bill be left out; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bureau, Chauveau, Jean B. Daoust, Desaulniers, Octave C. Fortier, Guévremont, Labelle, Laberge, Pouliot, Thibaudeau, and Turcotte.--(11.)

(920-921)

NAYS.

Messieurs Aikins, Alleyn, Bell, Bellingham, Biggar, Blanchet, Bourassa, Brodeur, Brown, Burton, Cameron, Cartier, Casault, Cauchon, Cayley, Chabot, Chapais, Chisholm, Christie, Church, Clarke, Cook, Crawford, Crysler, Daly, Charles Daoust, Darvic, DeLong, DeWitt, Dionne, Jean B.E. Dorion, Antoine A. Dorion, Dostaler, Dufresne, Edton, Fergusson, Ferres, Ferrie, Foley, Thomas Fortier, Fournier, Frazer, Galt, Gamble, Gill, Gould, Hartman, Hincks, Holton, Huot, Jackson, Jobin, Langton, Laporte, Lemieux, Loranger, Lumsden, John S. Macdonald, Attorney General Macdonald, Roderick McDonald, Mackenzie, Sir A.N. MacNab, McCann, Marchildon, Masson, Matheson, Mattice, Meagher, Mongenais, Joseph C. Morrison, Angus Morrison, Munro, Murney, Papin, Patrick, Poulin, Prévost, Rhodes, Robinson, Rolph, Solicitor General Ross, James Ross, Sanborn, Scatcherd, Shaw, Solicitor General Smith, Sidney Smith, Somerville, Spence, Stevenson, Terrill, and Wright.--(92.)

So it passed in the Negative.

(921)

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Cayley do carry the Bill to the Legislative Council, and desire their concurrence.

The Order of the day for the third reading of the Bill to abolish Postage on Newspapers published within the Province of Canada, and for other purposes connected with the Post Office Department of this Province, being read;

The Honorable Mr. Spence moved, seconded by the Honorable Mr. Attorney General Macdonald, and the Question being proposed, That the Bill be now read the third time;

Mr. Mackenzie moved in amendment to the Question, seconded by Mr. Wright, That all the words after "be" be left out, in order to add the words "recommitted to a Committee of the whole House, to insert a Clause therein, requiring that a full and

accurate statement, shewing the whole of the salaries, incomes, and allowance to Deputy Post Masters and other officers of the Post Office Department, and all the receipts and expenditures thereof, for contracts or otherwise, may henceforth be placed before the Legislature annually, in the Public Accounts, as the accounts of the other Departments of Government are now submitted, according to law; that the fiscal year in the Post Office Department shall end on the 31st January, of each year, as those of the Receiver and Inspector General do now, instead of closing in April, but that the Postal Department shall not be called upon to complete its accounts in detail for the last fiscal quarter of any year, on any matter whereof the Post Master General cannot obtain accurate information without delaying the publication of his annual accounts or returns" instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bourassa, Christie, DeWitt, Jean B.E. Dorion, Antoine A. Dorion, Ferrie, Foley, Frazer, Hartman, Huot, Jobin, John S. Macdonald, Mackenzie, Papin, Prévost, Rolph, Scatcherd, and Wright.--(18.)

(921-922)

NAYS.

Messieurs Alleyn, Bell, Bellingham, Biggar, Blanchet, Brodeur, Burton, Cameron, Cartier, Casault, Cauchon, Cayley, Chabot, Chapais, Chisholm, Church, Clarke, Cook, Crawford, Crysler, Daly, Jean B. Daoust, Delong, Desaulniers, Dufresne, Felton, Ferres, Thomas Fortier, Fournier, Gamble, Gill, Gould, Guévremont, Hincks, Jackson, Laporte, Lemieux, Loranger, Lumsden, Attorney General Macdonald, Sir A.N. MacNab, McCann, Masson, Matheson, Meagher, Mongenais, Joseph C. Morrison, Angus Morrison, O'Farrell, Patrick, Poulin, Pouliot, Rankin, Rhodes, Solicitor General Ross, James Ross, Shaw, Solicitor General Smith, James Smith, Somerville, Spence, Stevenson, Terrill, and Thibaudeau.--(64.)

So it passed in the Negative.

(922)

And the Question being again proposed, That the Bill be now read the third time; Mr. Mackenzie moved in amendment to the Question, seconded by Mr. Christie, That all the words after "That" to the end of the Question be left out, in order to add the words "the existing Post Office Law by enabling the Post Master General to raise and lower the salaries of Post Masters and all other persons employed in his Department, to any amount between one and sixteen hundred dollars per annum, without any special authority from, or reference to, the Legislature on the merits of any particular case whatever, has a manifest tendency to convert Post Masters and travelling Employés of the Departments, (all of whom can be turned adrift at pleasure,) into active electioneering party politicians for the benefit of the persons who may be in office; and that the Bill now under consideration greatly increases the evil, by extending the power to bestow lucrative incomes on every officer whom the Department may choose to favor, to the extent of Five hundred pounds a year each, contrary to the principles of the Constitution, and to the 46th Rule of this House, which requires all money votes imposing new burthens on the people, and for expending the public revenue, to originate in Committee of Supply in this House; that if Government knows any special cases in which any officers of the Department deserve more than one hundred pounds, this House will give the same a careful consideration; that the laws have forbidden all Post Masters and Officers of

the Department in Britain to intermeddle with, or vote at any political election within the United Kingdom; that no statement or report has been laid before this House by Government, shewing the amount of income proposed to be sacrificed by this Bill, which is variously estimated at between Fifteen thousand pounds and Thirty thousand pounds a year; that the Clause in this Bill repealing the Act of a former Parliament which now limits the number of Inspectors to whom the Department can pay any amount of salary it may think proper, if not over Four hundred pounds each, to three,--and allows any party politician whom our present system of Colonial rule may place over the Postal Department to select an unlimited number of persons to travel through all parts of Canada, at the public cost, to the amount of Five hundred pounds a year each, or under, as Post Office Inspectors, and without any evidence whatever being laid before this House, of the necessity of such repeal and such grant of unlimited power of appointment, is an open attempt to convert the Post Office Department into a political engine, dangerous to the civil and religious freedom of our Country; that to permit the Governor and every Public Department to send and receive free from payment of Provincial Postage, all letters, and all mailable matter of from half an ounce to four pounds each package, naming no one officer nor any number of officers in a Department who would exclusively possess these extraordinary franking powers, to burthen the mails with all private and public correspondence, during the whole year, would be a loose, careless, most

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reprehensible mode of transacting business; and, that to saddle the revenue of Canada, now very heavily burthened with several thousands a year extra, for conveying Military, and all other departmental correspondence with England and the rest of the Empire, through Canada post-free, while no such favors are even proposed to be shewn us in the United Kingdom, is not advisable at a time when Canada is building British Military Railroads, sending off princely donations to the Widows and Orphans in the European War, when bread is almost at famine prices in this City, and many workmen unemployed, while others are but poorly remunerated" instead thereof;

Mr. Speaker declined receiving the Motion, no notice thereof having been given, and as containing matter which is more properly the subject of amendments, and could not form the grounds of a Resolution; and because such proposed Resolution at this stage of the Bill ought to be declaratory of some principle adverse to that of the Bill.

And an Appeal being made from Mr. Speaker's decision; the House divided:--And the decision of Mr. Speaker was confirmed.

Then the main Question being put;

Ordered, That the Bill be now read the third time.

The Bill was accordingly read the third time.

Mr. Mackenzie moved, seconded by Mr. Ferrie, and the Question being put, That a Clause be added to the Bill, limiting its duration to three years; the House divided:--And it passed in the Negative.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Spence do carry the Bill to the Legislative Council, and desire their concurrence.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

Mr. Speaker,

The Legislative Council have passed the Bill, intituled, "An Act to incorporate the Grand and Subordinate Divisions of the Sons of Temperance in Lower Canada," without any Amendment: And also,

The Legislative Council have passed a Bill, intituled, "An Act to amend the Upper Canada Road, Bridge, Pier or Wharf Joint Stock Companies Act of 1853," to which they desire the concurrence of this House: And also,

The Legislative Council have passed a Bill, intituled, "An Act for the protection of Fisheries in Lower Canada," to which they desire the concurrence of this House: And also,

The Legislative Council have passed a Bill, intituled, "An Act to incorporate the Transatlantic Submarine Telegraph Company," to which they desire the concurrence of this House.

And then he withdrew.

A Bill to amend the Parliamentary Representation Act of 1853, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Attorney General Drummond do carry the Bill to the Legislative Council, and desire their concurrence.

The Order of the day for the second reading of the Bill to establish a College in the City of Hamilton, being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

(924)

Ordered, That the 71st Rule of this House be suspended as regards the said Bill.

MR. PRES. EX. COUN. MACNAB moved the second reading of the Bill to incorporate the General Drainage Bill of Upper Canada.⁸

MR. BROWN ... ((made)) a few remarks.... ((He)) pointed out among other objections that the Bill in its present shape, authorized the company to speculate in lands to an unlimited extent.⁹

(924)

The Order of the day for the second reading of the Bill to incorporate the General Drainage and Land Improvement Company of Upper Canada, being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

MR. PRES. EX. COUN. MACNAB moved the second reading of the Bill to incorporate the Western Canada Loan Company.¹⁰

MR. HOLTON said there were some extraordinary powers sought in this Bill, to which he hoped the attention of the Private Bills Committee would be particularly directed. One of its provisions was that all corporations in the country, ecclesiastical or otherwise, were empowered to take stock in the company. He thought this a most obnoxious provision that bodies incorporated for one purpose should be empowered by a general clause in a Bill of this kind to divert the funds of their respective corporations to a purpose entirely different.¹¹

MR. HARTMAN said there was another objectionable clause, giving the company power to deal in lands to any extent.¹²

MR. PRES. EX. COUN. MACNAB said it would be for the Private Bills Committee to remove from the Bill anything they considered objectionable.¹³

The Bill was then read a second time¹⁴.

(924)

The Order of the day for the second reading of the Bill to incorporate the Western Canada Loan Company, being read;

The Honorable Sir Allan N. MacNab moved, seconded by Mr. Solicitor General Smith, and the Question being put, That the Bill be now read a second time; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Aikins, Alleyn, Bell, Biggar, Blanchet, Brodeur, Brown, Bureau, Cameron, Casault, Cayley, Chapais, Christie, Cook, Charles Daoust, Darche, DeLong, Desaulniers, Dionne, Dostaler, Dufresne, Fergusson, Ferres, Ferrie, Fournier, Galt, Gamble, Gill, Gould, Guévremont, Holton, Huot, Labelle, Laporte, Lemieux, Lumsden, Macbeth, John S. Macdonald, Attorney General Macdonald, Sir A.N. MacNab, McCann, Marchildon, Matheson, Mongenais, Joseph C. Morrison, Munro, Papin, Patrick, Pouliot, Prévost, Rhéaume, Robinson, Rolph, Solicitor General Ross, James Ross, Sanborn, Shaw, Solicitor General Smith, Spence, Stevenson, Thibaudeau, and Wright.--(62.)

NAYS.

Messieurs Dewitt, and Mackenzie.--(2.)

So it was resolved in the Affirmative.

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

The Order of the day for the second reading of the Bill to amend the provisions of the Act 16 Vic. cap. 54, being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

MR. AT. GEN. DRUMMOND moved the House into Committee on the Bill to amend the Law relating to Savings Banks.¹⁵

MR. HOLTON, at that late hour, half-past ten, objected to a measure of so much importance being taken up. He desired to have an opportunity of discussing it fully, which could not be done, after the House had been exhausted by a long sitting.¹⁶

The objection being over-ruled, the House went into committee on the Bill.¹⁷

In committee,

MR. HOLTON said the whole object of the Bill was to repeal the Act by which Savings Banks existed as charitable institutions, and to convert them into private speculations.¹⁸

MR. HINCKS readily admitted that that was the object of the Bill, but he did not see why the hon. gentleman should be indignant on that account. The simple question was whether they had ever succeeded in any country where they had been tried as

charitable institutions. He did not think it right that the savings of the industrial classes should be placed at the disposal of persons who were not in any way responsible, and who were allowed to invest in all kinds of securities according to their own discretion. He thought it a much wiser course to have a system which would allow the managers of such institutions a reasonable profit and would at the same time afford the depositors the security of a responsible Company with a paid up capital.¹⁹

MR. HOLTON asked if certain parties connected with the Montreal City and District Savings Bank had not urged upon the late Government the passing of such an Act as this, with the object, as he believed, of transforming that Savings Bank, a charitable institution with a large amount of deposits, large investments, and a large reserve fund, into a private speculation for their own benefit. That, he believed, would be the effect of the 32nd clause of the Bill, and it was on that account that he strenuously opposed it. As to the general question, he was free to admit that he did not consider the present system a judicious one, and that it required amendment. But the effect of this Bill would be that no new Savings Banks could be started under it, and a monopoly would be created for the existing institutions, having large deposits acquired under another law, and under other circumstances.²⁰

MR. HINCKS.--The hon. member was always talking about the charitable purposes of those Institutions. He would like to know if ever one of them had given a dollar to charitable purposes. They never distributed their surplus funds for this simple reason that, until their affairs were finally wound up, they never could know if there were in fact any surplus funds. Would the member for Montreal himself be ready under the provisions of this Bill, to assume all the liabilities of the City and District Savings Bank for the sake of its assets? There was due to depositors 170,000L, and to meet this there were assets, consisting of stock of various kinds, much of it depreciated.²¹

MR. BROWN.--Grand Trunk Stock? (Laughter.)²²

MR. HINCKS believed not. But they had a quantity of St. Lawrence and Lake Champlain Railroad Bonds. He believed that the funds had been managed with the utmost prudence, but he did not think it would be any object to take any amount of assets of that kind, and the small reserve fund with the personal responsibility created by this Bill. The hon. member for Montreal had referred to the course taken by the Directors of that Bank, but nothing was more natural. It had always been a Government measure, and those persons were constantly making suggestions, which the Government were happy to receive so as to have the Act framed in such a way as to be satisfactory to what he might call the Savings Bank interest.²³

MR. HOLTON said that every merchant on the Board of Direction of the Montreal City and District Savings Bank was opposed to this Bill, but there were certain legal and medical gentlemen in the Board who were desirous of converting it into a private speculation. He was satisfied that the passing of this Bill would be most disastrous to that Institution, by shaking the confidence now reposed in it.²⁴

Several clauses of the Bill were got through after some further discussion, and the Committee rose, reported progress and asked leave to sit again.²⁵

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The House, according to Order, resolved itself into a Committee on the Bill to amend the Law relating to Savings' Banks; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Casault reported, That the Committee had made some progress, and directed him to move for leave to sit again.

Ordered, That the Committee have leave to sit again on Friday next.

At half-past eleven o'clock at night a message was received from the Legislative Council, with an Address to His Excellency, praying that he will be pleased, in the exercise of the Royal Prerogative, to fix permanently upon some convenient place for the annual assembling of Parliament, and requesting the occurrence (sic) of this House thereto.²⁶

MR. AT. GEN. DRUMMOND said he would move that the message be taken into consideration.²⁷

MR. BROWN.--No! No! It can't be done, you cannot consider a question twice in the same session. (Hear, hear.)²⁸

MR. SICOTTE the SPEAKER intimated to the Legislative Council messenger that the House would return an answer by a messenger of its own.²⁹

(924)

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

Mr. Speaker,

The Legislative Council have passed the accompanying Address to His Excellency

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the Governor General, praying that His Excellency will be pleased, in the exercise of the Royal Prerogative, to fix permanently upon some convenient place for the annual assembling of Parliament; to which they desire the concurrence of this House:--

To His Excellency Sir Edmund Walker Head, Baronet, Governor General of British North America, and Captain General and Governor in Chief in and over the Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice-Admiral of the same, &c., &c., &c.

May it please Your Excellency.

We, Her Majesty's dutiful and loyal Subjects, the Legislative Council of Canada in Provincial Parliament assembled, beg leave respectfully to represent to Your Excellency that in our opinion the time has arrived when the Royal Prerogative should be exercised in determining upon a permanent Seat of Government in this Province; that the system of holding alternate Parliaments at Quebec and Toronto is objectionable and detrimental to the Public Service, on account of its manifest and extreme inconvenience; that it involves a large expenditure of the Public Funds; and that by the frequent transportation from place to place of the several Departments connected with the Government, the security and safe-keeping of the Libraries, Records and Archives of the Country are seriously endangered.

We therefore pray that Your Excellency will be pleased, in the exercise of the Royal Prerogative, to fix permanently upon some convenient place for the annual assembling of Parliament, and we beg to assure Your Excellency of our cheerful

concurrence in any proposition you may think fit to make for the appropriation of Public Money for the erection of suitable buildings for the accommodation of the three Branches of the Legislature at the place which may be so fixed upon by Your Excellency.

And then he withdrew.

The Master in Chancery was again called in, and acquainted that this House will send an answer by Messengers of their own.

And then he again withdrew.

The Order of the day for the second reading of the Bill to extend and continue the Act, intituled, "An Act to provide for the accommodation of the Courts of Superior Jurisdiction in Upper Canada," and for other purposes, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for Friday next.

Ordered, That the Petition of the Municipality of the Village of Paris, and the Petition of T. Le P. Filgiano and others, of the Village of Paris, be referred to the Standing Committee on Miscellaneous Private Bills.

Then, on motion of the Honorable Mr. Attorney General Drummond, seconded by Mr. Solicitor General Smith,

The House adjourned.

((QUESTION AND ANSWER RE: EVALUATORS OF DAMAGES DONE TO LANDS AT LAKE ST. FRANCIS.))

MR. SOMERVILLE enquired whether it was the intention of the Government to continue the services of A.B. Sirois, Esq., Notary and J. Burroughs, Advocate, as valutors of the damages done to lands in the County of Huntingdon, by the Dam at the Head of the Beauharnois Canal, or to appoint other persons of more experience and practical knowledge of the value of said lands?³⁰

MR. COM. PUB. WORKS LEMIEUX replied that Messrs. Sirois and Burroughs, were not appointed valutors as stated, their duties were to make enquiries as to the damages suffered and make tenders & if these tenders were refused valutors would be appointed to assess the damages. It was not the intention of the Government to appoint any other persons.³¹

((WITHDRAWN MOTION RE: PETITION OF JAMES EGAN CONCERNING WORKS ON THE LACHINE CANAL.))

MR. A. DORION of Montreal, moved "to refer the petition of James Egan, relating to the letting out of certain Works on the Lachine Canal, and the return to the Address of this House of the 17th instant for a copy of the Report of the Department of Public Works upon the petition of James Egan, and copies of all tenders, correspondence and other papers, to a special Committee of five Members, to be composed of Messrs. Stevenson, Turcotte, Terrill, Fergus((s))on and the mover, with power to send for persons, papers and records."³²

MR. COM. PUB. WORKS LEMIEUX hoped the honorable gentleman would not press his motion at the present moment. The papers had not yet been printed, and had been seen but by a very few persons. Without these papers, it was quite impossible to arrive at any intelligent decision as to whether the Committee should be granted or not.³³

MR. A. DORION had read the correspondence but it did not meet the case as charged against the hon. member for Missisquoi at all. It was clear there was no charge which could be fastened upon the department of Public Works or the Government. He went on to detail the facts set forth in the petition already published. These facts were now met by the correspondence.³⁴

MR. COM. PUB. WORKS LEMIEUX said the fact was Egan had tendered under the name of Egan & Co., for the work on the Lachine Canal, and before the expiration of the delay for opening the tenders his tender was withdrawn and replaced by another by Mr. Ferres, at his--Egan's request. He had no ground of complaint that a higher tender had been put in for him, which was still low enough to obtain the contract. True the department did not subsequently give him the contract, though his tender was the lowest, because he informed them that he had had a difference with his partner, Mr. Milne, which prevented them putting in the necessary sureties. He offered sureties afterwards in his own name, but the department could not sign the contract with him alone, as his partner was as much entitled to have it as he. After giving him ample time to arrange the matter with his partner, the contract had

been given to the party who had made the next lowest tender. The correspondence showed conclusively that the change of the tenders was made by Mr. Ferres for Egan's benefit, and neither Mr. Ferres nor the Government could be made responsible for the effect of the subsequent quarrel with his partner by any Committee that might be appointed. In that correspondence Egan distinctly admits that Milne was his partner, and the Government could not divide them in taking sureties and giving out ... ((the)) contract on their tender.³⁵

MR. CHABOT did not see that in any case there was matter for investigation by a Committee. It was admitted that there was no charge against the Government, and how did the case stand with respect to the hon. member for Missisquoi East. The law which provides for the independence of members of that House declared that no member should be a contractor (sic) for public works under the penalty of vacating his seat. But there was nothing illegal in their tendering for such a contract & resigning their seats if their tender was accepted--so if the whole case were made out and the member for East Missisquoi were to have had an interest in the contract tendered for (which he denied) there was no ground for investigation by a Committee.³⁶

After a few words from MR. DUFRESNE, who remarked that with every disposition to do justice to Mr. Egan, he could not vote for this motion until he had seen the correspondence printed³⁷,

MR. AT. GEN. DRUMMOND said the hon. member was bound to shew a prima facie case against some member of Government or of the House, or some person holding a public trust before he could ask to have a Committee appointed to investigate such a charge. He contended that no such charge had been made out here.³⁸ The tender of James Egan was withdrawn before the day on which the tenders were to be opened. This perfectly agrees with the facts stated in the petition. But the document signed James Egan & Co., was for a higher amount than that stated in the first tender and had nothing to do with the alleged injustice to James Egan & Co. The petitioner or any body authorized by him, had a perfect right to substitute one tender for another before the day for opening the whole of the tenders came. He did substitute the tender of James Egan for that of Egan & Co., the tender being accepted and the contract signed. There was, however, some other difficulty. Mr. Egan was sent for. He appeared at the office of the Commissioner of Public Works and made no complaint either of Mr. Ferres or of any body else, but stated that he had some difficulty with Mr. Milne, who was not satisfied with the contract and wanted a larger share of the profits than was allotted to him. He wanted the contract for himself. Mr. Egan was however unsuccessful. Milne & Egan or Egan & Co., having failed to carry out their contract, the work was given to the tender the next lowest at the time of the opening of the tenders. And it was the proper course for the Public Works' Department to pursue. There was, however, no complaint against the Commissioner of Public Works, but there was a complaint against the honorable member for Missisquoi, while it was impossible that that gentleman could have done a wrong of such a nature unless the Commissioner of Crown Lands was to act in part with him. The honorable member for Missisquoi was accused of having substituted James Egan & Co., for James Egan.³⁹

MR. HOLTON.--No; No. It was charged against the honorable member for Missisquoi that he had used his influence as a member of this House to obtain a contract for a person with whom he was personally interested.⁴⁰

MR. AT. GEN. DRUMMOND.--The correspondence showed no such charge was founded.⁴¹ Mr. Ferres was only the agent of Egan and Milne, and was authorised to withdraw the first tender and substitute that made in the name of James Egan & Co. And the only effect of Mr. Ferres' interference would have been to have given him 100,000L more for his contract. It was only when Mr. Egan could not sustain his contract that it was given to the next eligible party. But there is a charge against the member for Missisquoi to the effect that he wrote something at the foot of the contract which he had no right to do. If this were true, which undoubtedly it was not, the House of Assembly was not the proper place to look for redress. It was ((not)) in Star Chamber Committees of the House where justice was to be obtained, but in the ordinary courts of justice.⁴² The principle on which the charge rested, viz: that a member of Parliament had no right to tender for a contract, had been fully met by his hon. and learned friend from Quebec. He believed if a good Railway contract were in the market whereby one might pocket 30,000L or 40,000L there were members on both sides of the House who would tender and resign their seats if they succeeded in getting so profitable a job, rather than lose the opportunity. Mr. Peto tendered for the Balaklava contract while a member of Parliament, and only resigned after his tender had been accepted. But in this case the hon. member asserted he was to have had no interest whatever in the contract and they were bound to believe him.⁴³

MR. BELLINGHAM thought the whole matter trumped up.⁴⁴ It was a pity members could be found who could carelessly drag the names of fellow members before the public on such groundless accusations as the present. Respect for the dignity of the House and their own charact((e))r required that they should take trouble to ascertain there was some foundation for such charges before they thus brought them before Parliament and the public.⁴⁵

MR. FERRES said it was due to the House in him to make some observations on the motion before the Chair. Not having been present at the early part of the debate, he was only able to gather from others what had been said. But, in the first place, he had every reason to be indebted to the highly creditable feeling of the honorable member for Montreal in mixing himself up with so honorable an affair. He (Mr. F.) ventured to say, that if any responsibility of a discreditable character could attach to any honorable member in presenting a petition, it certainly did to the honorable gentleman (Mr. Holton), who, to answer certain purposes, had made himself the medium for propagating slanders and retailing private conversations, said to have been had with him (Mr. Ferres), but which he (Mr. F.) stigmatized as inventions, for they never had taken place. He thought that if that honorable gentleman (Mr. Holton) were to look to Tornoto (sic), he would find that a firm of which he (Mr. Holton) was a partner figured in a manner--⁴⁶

MR. SICOTTE the SPEAKER called the hon. member to order.⁴⁷

((MR. FERRES continued: He)) would not transgress the bounds of order, but he would say this, that he would not wish his name held up in the same light. He (Mr. F.) became aware that the honorable member for Montreal (Mr. Holton) was going to present the petition a day or two before he did so, and in order that he might not do so in ignorance he thought it his duty to make him (Mr. H.) aware that the petition, in so far as it referred to private conversations between him and the petitioner contained nothing but falsehoods, while if he (Mr. Holton) desired an inquiry into the public and official facts, he could ascertain for himself how far they were true; and he (Mr. F.) would second any motion for information which that

honorable gentleman might please to make⁴⁸. He had explained to the hon member when he told him he had such a petition to present that if he wished to investigate any charge of corruption as between him and the public works and would restrict the allegations of the petition to that charge he would not only have no objection to the presentation of the petition, but would second the motion for its reference to a Committee. That would have been a matter with which the House could properly deal and if the charge were supported by any sort of evidence it was one which it ought to investigate. But he did object to and still objected to a petition setting forth private conversations with this man Egan, which never took place, and which related to private affairs with which this House had nothing to do. He denied that the conversations related in that petition ever took place, and he believed the House would put as much confidence in his word as in that of the petitioner⁴⁹ who, to serve his own purposes and the purposes of the honorable member for Montreal, had seen fit to falsify what had taken place. It was his (Mr. F.'s) opinion, that the honorable member for Montreal should have thought twice before giving currency to pretended conversations, which had never been held, and in a matter involving some delicacy towards a fellow member who denied what another party asserted as to what took place between them alone, it was the duty of Mr. Holton to make some enquiry into the statements, which were capable of proof or disproof, by official documents in the possession of the Board of Works, to ascertain whether they were correct or not, and so form some opinion as to the credibility of what rested merely on that party alone. He would explain to the House that Mr. Egan had been a foreman on a work in which he (Mr. F.) was interested, some three years ago; he was subsequently foreman on another work in which he (Mr. F.) was also interested, and he had also given Mr. Egan a contract on the same work, so that it was quite natural that Mr. Egan should consult with him in entering on such an undertaking as the one in question. He (Mr. F.) had also a high opinion of the knowledge and energy possessed by that individual in carrying out work. But the fact was that Mr. Milne and Mr. Egan had been making arrangements together, when he (Mr. F.) was in Missisquoi and he only heard of them after his arrival. When consulted about them, his advice was to see that they put in proper prices so as to make something out of it, to examine the specifications and consider the price of labor and produce, &c. before sending in their tender. Some time after, Mr. Egan came to him and told him he had sent in a tender irrespective of Mr. Milne. My reply was that I hoped he had put in a sufficient price, and when he mentioned it, he (Mr. Ferres) laughed at it as altogether too low. Mr. Egan then proposed to send in another for Mr. Milne and himself, under the name of James Egan & Co., and he then and there produced a blank tender and filled up every word of it with his own hand.⁵⁰ It would be found he believed that every word and figure of it was in Egan's own hand writing. At all events he knew it would be found that there was not a word or figure in his (Mr. F.'s) hand writing.⁵¹ He (Mr. F.) was then asked to take charge of that tender as he was going to Quebec next day, and if in time and the Board of Works would consent, to substitute it for the one previously sent. He did so and that was all the agency he had in the matter. The hon. member for Montreal had stated that he (Mr. F.) was to be a partner.⁵²

MR. HOLTON.--No; I did not say so.⁵³

MR. FERRES was glad that the honorable gentleman took back his words. So little confidence had he (Mr. F.) in the prices, that although Mr. Milne was a relation of his,⁵⁴ his brother-in-law,⁵⁵ he has refused to let his name be put down (sic) as security for the work. He had dissuaded Mr. Milne from taking the work at the

prices, and he could only say that if the Board of Works were to offer him (Mr. Ferres) the contract to-day, he would not take it; nay⁵⁶. The hon. member for Montreal admitted that the tender was so low that he would not take the contract on those terms, as they would entail a loss. He would not himself take the contract on those terms as a gift. He had put his name down for another person who tendered--Mr. Murray--at remunerative rates--and if he had used any personal influence it would have been for him. He was much obliged--he must admit--to the Commissioners of Public Works, for keeping Mr. Milne out of a scrape which he was disposed to rush into. If these gentlemen were so keen in scenting out corruption, why did they not wait till the deed was consummated and the contract signed ere they made an attack? Then they might have had something to go upon⁵⁷. So far as he (Mr. Ferris) was concerned, he had no objections to any committee, or fifty committees, sitting on the subject; and if one were named, he could not devise a better than that named on the notice by the other honorable member for Montreal, (Mr. Dorion). It was for the House to say whether there was a case made out against the Board of Works in the affair, and if so, to grant the committee. For himself he had to say that on calling on the honorable Mr. Killaly to get the substitution on the tender, that gentleman said that he did not know in what position the business stood, but on sending for Mr. Begley, the secretary, the tenders were found to be all under seal, not one of them opened. Mr. Killaly therefore made no objection to giving up the tender and receiving the other.⁵⁸ He accordingly got back the previous tender and destroyed it, and put in the other in its place. That was all the interest he had in the matter⁵⁹. If the honorable member for Montreal, with his keen-sightedness and his high sense of honor, saw corruption in that, why did he not advise that the corruption should be prevented by the refusing of the contract and the commencement of the work. He should not have prevented the man from completing the documents and consummating the transaction. As it stood now, there was nothing of it seeing that the contract had been taken very properly from both Mr. Egan and Mr. Milne too, and given as he understood to the next lowest tender. Oh! but the petition said that I prevented the securities from going forward. As to that, he pledged his honor to the House that he had never exchanged a word with either of the parties before or after the tender, or at any time on the subject. One of them, Mr. Hughes, was Mr. Egan's foreman, and he (Mr. F.) had not seen him even by accident for months, and further Mr. Hughes was a man he never would have thought of to propose such a matter to. Mr. Egan's assertion, therefore, on this point was like his pretended conversations, entirely false.⁶⁰ He did not see, however, what the House had to do with a charge against him of being interested in a tender not accepted, or with breaking off a contract in which Mr. Egan was interested unless indeed this latter matter were effected through corrupt influences with the Government. There was no pretension of that kind however, set up and he thought there was no ground for the appointment of a Committee.⁶¹ The House might take its own course as to the committee, but as to him he was perfectly willing that it should be named.⁶²

MR. HOLTON did not intend to reply to the personal attack of the hon. member for Missisquoi, for he knew and the House knew, too, much of the hon. member's past career too well how he devoted years to abusing and blackening the character of all that was highest and most distinguished in the country (sic) to make any reply consistent with his sense of self respect.⁶³

MR. SICOTTE the SPEAKER.--Order.⁶⁴

MR. HOLTON continued. He had been accused of volunteering to present this petition. That accusation was untrue. He had received it in due course of mail and

had shewn it to the hon. member, who said at first jocosely he would present it himself, but afterwards requested him not to do so. He had agreed not to do it until he had made farther enquiry. He was then on the point of leaving for Montreal --while in that city he was waited on by Mr. Egan who seemed a respectable man and declared he could substantiate the charges, and placed a letter in his hands from the Provincial Secretary proving Mr. Ferres' connection with the affair. He was also urged by Egan's counsel one of the very first barristers at the Montreal Bar to present the petition as it would be well supported. Under these circumstances and finding nothing discourteous in the petition towards the House he had consulted with some of the senior members of the House, and they had told him he had no other course than to present the petition. He had accordingly presented it and had done nothing more. He did not think he was prepared to admit that a prima facie case was made out by the documents laid before the House, but they had the assertion of a respectable man to facts which he said he could support by parol evidence and that was the sort of evidence which must necessarily be brought in such a case. If the member for Missisquoi consulted his own interest he would demand a Committee to enable him to clear himself fully from the charges. If the Committee were granted, & the chaages (sic) disproved--he (Mr. H.) would be foremost to do justice to that hon. member and to denounce the man who would be proved to have brought an unfounded accusation against him.⁶⁵

MR. AT. GEN. J.A. MACDONALD was surprised that the hon. member for Montreal had presented this petition, but still more so that his hon. and learned colleague the premier member for that city had moved its reference.⁶⁶ The hon. member for Montreal seemed to think that it was obligatory on members to present petitions provided they are respectfully worded. He had as much respect for the right of petition as any gentleman in the House; but it was not obligatory upon honorable members to introduce petitions. An honorable member was in some degree responsible for the accuracy of the contents of a petition. He must be able to state that a prima facie case has been made out. The hon. member for Montreal, (Mr. Holton,) had not exercised a due discretion in not ascertaining, before presenting Mr. Egan's petition that a prima facie case had been made out. He should have been able to have stated the case in its inception, so that it might have been seen at first blush. But however improper it might be in the member for Montreal, (Mr. Holton,) to introduce a petition without knowing anything about it, it was not very decorous in the honorable member for Montreal, (Mr. Dorion,) without enquiry to move for a committee of investigation. There ought to have been submitted corroborative evidence, and then the charge might have been put in the form of an indictment. The charge effected (sic) the Board of Works as well as the honorable member for Missisquoi. Now what was there proved as far as the Board of Works was concerned. Only this:--that Egan had stated that he had sent in a tender to the Board of Works for which another tender had been substituted, and that a gentleman interested with Egan had obtained the substitution. It was quite true that Mr. Ferres did go to the Board of Works, and did withdraw a tender as James Egan wished him to do. It is true that Mr. Ferres did, as his alleged partner advised him to do. He might have withdrawn one dozen of tenders and might have substituted another dozen; there was nothing to have prevented him. Egan and Milne, and perhaps Ferres, Egan and Milne had a right to tender and a right to withdraw. The Board of Works had done their duty neither more or less. They had given the contract to the lowest tender. If the hon. member for Missisquoie had supposed he could exercise an influence over the Board of Works it must have been to a very limited extent, inasmuch as the contract only had been given to the first and lowest party who, gave the necessary securi-

ties. A committee of investigation was out of the question. The matter could only be enquired into as it affected the public interest. The House had nothing to do with the private difficulties or money transactions of any gentleman not a member of the Government, and supposing that Mr. Ferres did do Mr. Egan out of the contract, the House had nothing to do with it. If Mr. Egan had been ill-used by Mr. Ferres, redress could be obtained in the Courts of Justice; but this House had no right to investigate moral character. And while he was on the matter of morality, he could not help saying that Mr. Egan had not come here with clean hands, for if the petition meant anything, it meant that he (Egan) was willing to enter into some corrupt contract and to join in some dishonest and corrupt compact for the sake of making money. But when a member of this House had stated on his personal honor that the charges were untrue, pointed out that the petitioner had been a sub-contractor with him; and Egan had asserted that he had signed a blank contract from (sic) while it had been found that the whole contract form had been filled in by him in his own hand-writing--there was no doubt that the House would not hesitate a moment in throwing out the petition and treating it with the contempt it deserved.⁶⁷

MR. HINCKS had taken the trouble to go through the papers, and it was clear there was no charge against the Public Works Department,--that was the only one they had any right to enquire into. Another of Egan's assertions was distinctly disproved by the correspondence. He said he did not know how the department ascertained Mr. Milne was his partner unless Mr. Ferres had filled his name into the tender. He, himself, introduced Mr. Milne to Mr. Killaly as his partner, and made no reference during the interview or during the subsequent correspondence to Mr. Ferres, as having an interest or having interfered in any way in the matter.⁶⁸ It was only when the securities of Egan and Milne refused to sign for Egan alone, that that gentleman lost the contract.⁶⁹ What would be the result of an investigation? Why, the petitioner would be called before it and make one statement, the hon member would make another, and so the matter must drop. Even if it were fully proved that the hon. member tried to get a share in the contract, that would be attended with no result. He had a right to do so.⁷⁰

MR. BROWN thought that no complaint could be ((made)) against Mr. Holton for presenting this petition. It was due to the honorable member for Missisquoi himself to prevent the petition, so that he should have an opportunity of clearing the charges made ((a))gainst him away. (Cries of hear hear, ironically.) He was free to state that the House was bound to believe the statement of the member for Missisquoi, unless there were other evidence against him than that of Mr. Egan.⁷¹

MR. A. DORION was actuated by no feeling of hostility against the hon. member for Missisquoi, but the course taken by his colleague and himself had been urged by ono (sic) of the most eminent--perhaps the most eminent counsel in Montreal, who, he believed, would not have done so had he not believed there were substantial grounds for the accusation.--If the government and the House were satisfied that no grounds for further action existed, he would withdraw his motion.⁷²

MR. PRES. EX. COUN. MACNAB would not oppose the withdrawal, but he could not help expressing his regret that the member for Montreal had introduced the petition. It was rather the duty of honorable members of this House to protect the characters of each other than assail them. It ought to be ascertained whether or no a petitioner can substantiate what he alleges, and then the allegations ought to be sifted to the bottom before giving currency to anything calculated to reflect injuriously

upon a member of the House. The course which the honorable member for Montreal had taken was not the proper one to be pursued.⁷³

MR. INSP. GEN. CAYLEY read an extract from a letter from Mr. Egan to the Department of Public Works, under date of the 19th March, in which he speaks of Mr. Milne as his partner--while in his petition of the 26th, he says he does not know how the department ascertained the fact unless Mr. Ferres filled it into the tender.⁷⁴

The motion was then withdrawn.⁷⁵

((WITHDRAWN MOTION FOR AN ADDRESS RE: WASTED MONEY ON ROAD.))

MR. POWELL moved an Address to His Excellency, for the appointment of a Commission of Enquiry to investigate the charges contained in the Petition of Hugh Fraser and others, interested in the trade of the Ottawa, representing that a sum of 5,200L has been uselessly squandered on the road from Pembroke to Mattawan, and praying a full investigation relative thereto, before making any further appropriation for continuing the works under the same superintendence.⁷⁶

After some explanations by MR. PRES. EX. COUN. MACNAB, the motion was withdrawn.⁷⁷

((POSTPONED MOTION RE: ELECTIONS IN L'ASSOMPTION.))

La motion de MR. PAPIN, pour référer à un comité spécial les comptes de l'officier-rapporteur du Comté de Leinster pour l'élection de 1851, et ceux de l'officier-rapporteur du Comté de L'Assomption pour l'élection de 1854, ayant été lue,⁷⁸

MR. PRES. EX. COUN. MACNAB dit, qu'en l'absence momentanée du procureur-général du Bas-Canada, il informait cette chambre que M. Drummond avait écrit à M. Archambault, l'officier-rapporteur en question, pour le faire venir immédiatement à Québec, et qu'il avait répondu qu'il ne pouvait venir de suite, pour raison de maladie dans sa famille. Il (Sir Allan MacNab) croyait que la lettre mentionnait que la femme de cet officier-rapporteur était malade. En conséquence, il pria l'hon. membre pour L'Assomption de suspendre sa motion, l'assurant que le gouvernement était décidé à faire une enquête complète sur les accusations portées contre l'officier-rapporteur.⁷⁹

MR. PAPIN ... ((demande)) si cette correspondance serait mise devant la chambre.⁸⁰

MR. PRES. EX. COUN. MACNAB dit que la lettre de l'officier-rapporteur lui serait communiquée (à M. Papin).⁸¹

MR. PAPIN dit qu'il consentait à remettre cette motion à vendredi, le 27 avril, avec l'entente qui existait déjà qu'elle resterait sur la liste, avec le droit de préséance qui est accordé aux mesures du gouvernement.⁸²

FOOTNOTES: 25 APRIL 1855.

1. GLOBE, 4 May 1855.
2. IBID.
3. IBID.
4. IBID
5. GLOBE, 4 May 1855. A discussion between Mr. Cayley and Mr. Mackenzie concerning the Audit Bill appeared on 20 April 1855, page 2895. However, a different version of this exchange reported by TORONTO EXAMINER, 23 May 1855, should have been included. It is reprinted below for the readers' consideration:

"Mr. Mackenzie ventured to say that all the Audits of Public Accounts he had ever seen or known in Canada were a farce.

"Mr. Cayley, often very smooth and polite, lost his temper immediately--denounced Mr. Mackenzie as a rebel--warned him never to forget a certain dark chamber in a certain hotel out upon Yonge-street, in the winter of 1837, thus seeking to insinuate that he (Mr. Mackenzie) had taken a part in the Moodie tragedy, and endeavouring to excite a feeling against him and the other 'rebels' whom he (Mr. Cayley) denounced."
6. GLOBE, 4 May 1855, adds the following comment: "This amendment ... would have had the effect of compelling only those institutions which received their whole support from Government, to send in returns of their affairs".
7. GLOBE, 4 May 1855, adds the following comment: "This amendment was moved with the same object as the preceding one, and would have had the effect of leaving the returns from Educational Establishments supported in whole or in part by the Government, on the same footing as at present."
8. GLOBE, 4 May 1855.
9. IBID.
10. IBID.
11. IBID.
12. IBID.
13. IBID.
14. IBID.
15. IBID.
16. IBID.
17. IBID.
18. IBID.
19. IBID.
20. IBID.
21. IBID.
22. IBID.
23. IBID.
24. IBID.
25. IBID.
26. IBID.
27. IBID.
28. IBID.
29. IBID.
30. MORNING CHRONICLE, 26 April 1855.
31. IBID.
32. TORONTO DAILY LEADER, 3 May 1855.
33. IBID.
34. MORNING CHRONICLE, 1 May 1855.

35. IBID.
36. IBID.
37. IBID.
38. IBID.
39. TORONTO DAILY LEADER, 3 May 1855.
40. IBID.
41. MORNING CHRONICLE, 1 May 1855.
42. TORONTO DAILY LEADER, 3 May 1855. This newspaper attributes this portion of the speech to Mr. Holton contrary to the other accounts which credit it to Mr. Drummond.
43. MORNING CHRONICLE, 1 May 1855.
44. TORONTO DAILY LEADER, 3 May 1855.
45. MORNING CHRONICLE, 1 May 1855.
46. TORONTO DAILY LEADER, 3 May 1855.
47. MORNING CHRONICLE, 1 May 1855.
48. TORONTO DAILY LEADER, 3 May 1855.
49. MORNING CHRONICLE, 1 May 1855.
50. TORONTO DAILY LEADER, 3 May 1855.
51. MORNING CHRONICLE, 1 May 1855. GLOBE, 4 May 1855, reports that at this point, Mr. Ferres "challenged the production of the tender to shew that Egan's statement that he (Mr. F.) had filled in the name of James Egan & Co., instead of James Egan, into the tender, was untrue."
52. TORONTO DAILY LEADER, 3 May 1855.
53. IBID.
54. IBID.
55. MORNING CHRONICLE, 1 May 1855.
56. TORONTO DAILY LEADER, 3 May 1855.
57. MONTREAL GAZETTE, 30 April 1855.
58. TORONTO DAILY LEADER, 3 May 1855.
59. MORNING CHRONICLE, 1 May 1855.
60. TORONTO DAILY LEADER, 3 May 1855.
61. MORNING CHRONICLE, 1 May 1855.
62. TORONTO DAILY LEADER, 3 May 1855.
63. IBID.
64. IBID.
65. MORNING CHRONICLE, 1 May 1855.
66. IBID.
67. TORONTO DAILY LEADER, 3 May 1855.
68. MORNING CHRONICLE, 1 May 1855.
69. TORONTO DAILY LEADER, 3 May 1855.
70. MORNING CHRONICLE, 1 May 1855.
71. TORONTO DAILY LEADER, 3 May 1855.
72. MORNING CHRONICLE, 1 May 1855.
73. TORONTO DAILY LEADER, 3 May 1855.
74. MORNING CHRONICLE, 1 May 1855.
75. IBID.
76. GLOBE, 4 May 1855.
77. IBID.
78. LE PAYS, 1 May 1855.
79. IBID.
80. IBID.
81. IBID.
82. IBID.

THURSDAY, 26 APRIL 1855.

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MR. SPEAKER laid before the House,--Statement of the affairs of the Great Western Railway, on the 31st January, 1855.

For the said Statement, see Appendix (F.F.)

And, also, Receipts and Disbursements of the Kingston General Hospital, for the year ending 31st December 1854.

For the said Receipts and Disbursements, see Appendix (A.A.)

The following Petitions were severally brought up, and laid on the table:--

By Mr. Rhodes,--The Petition of the Marmora Foundry Company.

By Mr. Jobin,--The Petition of M. Crépeau and others, of the Parish of St. Félix de Valois.

By Mr. Casault,--The Petition of Thomas Jarvis, of the Parish of St. Patrice de la Rivière du Loup, County of Temiscouata.

By Mr. Ferrie,--The Petition of William McLachlan, Chairman, and Robert McLean, Secretary, on behalf of a Public Meeting of the Inhabitants of Galt.

By Mr. Munro,--The Petition of John Burke and others, of the Village of Bowmanville, in the County of Durham; and the Petition of Matthew Jones and others, of the Township of Darlington, in the County of Durham.

By Mr. Foley,--The Petition of Peter Winger and others, of the Township of Woolwich, County of Waterloo.

By Mr. Somerville,--The Petition of the Mechanics' Institute and Library Association of the Township of Hemmingford.

By Mr. Jean Baptiste Eric Dorion,--The Petition of John Trenholm and others, of Trenholmville and neighbourhood; the Petition of Patrick McCabe, senior, and others, of Wickham, in the County of Drummond; the Petition of A. Leighton and others, of South Durham, in the County of Drummond; the Petition of G.L. Marler and others, of the Parish of Drummondville; the Petition of George McGauran and others, of Warwick, in the County of Drummond; and the Petition of J.E. Ferté and others, of the Village of L'Avenir.

By Mr. Frazer,--The Petition of the Provisional Municipal Council of the County of Welland; and the Petition of George H. Wright and others, of the County of Welland.

By Mr. Papin,--The Petition of Amable Eno dit Deschamps and others, of the Parish of Repentigny.

By Mr. Larwill,--The Petition of Walter Ebert and others, of the Town of Chatham; and the Petition of L.H. Johnson and others, of the Counties of Kent and Lambton.

By Mr. Brown,--The Petition of A. Inglis and others, of the Township of Plympton; the Petition of John Thomson and others, of the County of Huron; the Petition of John Riddel and others; and the Petition of J.W. Rose and others, of the County of Kent.¹

By Mr. Scatcherd,--The Petition of John Mackintosh, of the Township of Mosa, County of Middlesex.

By Mr. Wright,--The Petition of Andrew Telfer and others, of the United Counties of York and Peel.

By Mr. Fergusson,--The Petition of George Sunley and others; the Petition of Robert Torrance and others, of the County of Wellington; and the Petition of Francis Beattie and others, of the County of Wellington.

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By Mr. Aikins,--The Petition of Joseph Graham and others, of the United Counties of York and Peel.

By Mr. Felton,--The Petition of John Pope and others, Magistrates, of Eaton, and other Townships, in the District of St. Francis.

By the Honorable Sir Allan N. MacNab,--The Petition of the Mayor, Aldermen, and Commonalty of the City of Hamilton; and the Petition of the Mayor, Aldermen, and Commonalty of the City of Toronto ((OR Hamilton)).

By Mr. Solicitor General Smith,--The Petition of Alexander Kennedy and others, of the Township of Osgoode.

Pursuant to the Order of the day, the following Petitions were read:--

Of Eliza M. Hervey, Directress, and others, the Committee of the Home and School of Industry; praying for an aid.

Of the Reverend J. Paradis and others, of the Parish of St. François; of John McDougall and others, of the Town of Three Rivers; of A. Kierkowski and others, of the Parish of St. Charles; of the Reverend Joseph Beauregard and others, of the Parish of La Présentation; of E.O. Piché and others, of the Parish of Lanoraie; and of T.R. Tranchemontagne and others, of the Parish of Berthier; praying that a permanent Seat of Government may be established.

Of William Moore and others, of Durham; of Noël Hébert and others, of St. Norbert d'Arthabaska; of the Reverend N. Pelletier and others, of Stanfold; and of F. Pothier and others, of Kingsey; praying that the Counties of Drummond and Arthabaska may be united to those of Sherbrooke and Wolfe, for the election of a Member for the Legislative Council.

Of Edwin Larwill, Esquire, M.P.P., and others, of the United Counties of Essex and Kent; praying for the passing of an Act to construct a line of Railway from Amherstburg to St. Thomas.

Of John R. Wilkinson and others, of the Township of Mersea; praying for the passing of a Prohibitory Liquor Law.

Of T.V. deBoucherville; representing that during the last War between Great Britain and the United States he rendered signal service to the British Forces, and that while so doing, his property and business was wasted and destroyed; and praying for relief in the premises.

Of Thomas Matheson and others, Clerks of Division Courts for the County of Perth; praying that the Tariff of Fees allowed them under the Act 16 Vic. cap. 53, may be increased.

Of Sister Ste. Jeanne de Chantal, Superior, and others, Sisters of Mercy of the Hospital of Ste. Pelagie of the City of Montreal; praying for an aid.

Of Sister Véronique du Crucifix, Superior, and others, Sisters of the Holy Names of Jesus and Mary, at Longueuil; praying for an aid.

Mr. Felton, from the Standing Committee on Miscellaneous Private Bills, presented to the House the Thirty-first Report of the said Committee; which was read, as followeth:--

Your Committee have examined the Bill to confirm certain Marriages solemnized by the late Reverend Alexander McWattie, and to provide for the proof thereof, and of other acts performed by him as a Minister of the Presbyterian Church. They find it stated in the Preamble, that Mr. McWattie "was not regularly ordained a Minister of the Church of Scotland." No testimony has been submitted to Your Committee in proof of this statement, but it appears to be a matter of doubt whether he was ordained or not; Your Committee have therefore amended the Preamble accordingly, and they have

prepared several amendments to the Bill, which they beg to submit for the consideration of Your Honorable House.

Your Committee have also examined the Bill to incorporate the Town of Paris, and

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to define the limits thereof, and they have agreed to an amendment, which they also submit for the consideration of Your Honorable House.

Ordered, That the Bill to confirm certain Marriages solemnized by the late Reverend Alexander McWattie, and to provide for the proof thereof, and of other acts performed by him as a Minister of the Presbyterian Church, as reported from the Standing Committee on Miscellaneous Private Bills, be committed to a Committee of the whole House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Frazer reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time To-morrow.

The Honorable Sir Allan N. MacNab, from the Standing Committee on Railroads, Canals, and Telegraph Lines, presented to the House the Fourteenth Report of the said Committee; which was read, as followeth:--

Your Committee have taken into their consideration the Bill to incorporate the Canada, Newfoundland, and London Telegraph Company, and have made amendments thereto, which they beg leave to submit for the consideration of Your Honorable House.

Your Committee have also considered the Bill to enable the Great Western Railway Company to construct a Branch Railway to the Town of Brantford, and for other purposes therein mentioned, and have made several amendments thereto,--and Your Committee have also considered the Bill to amend the Act of Incorporation of the British North American Electric Telegraph Association, to enable the said Association to construct Branch Lines, and to subscribe for Stock in other Electric Telegraph Companies, and have agreed to several amendments thereto, all which amendments they humbly submit for the adoption of Your Honorable House.

Ordered, That the Bill to incorporate the Town of Paris, and to define the limits thereof, as reported from the Standing Committee on Miscellaneous Private Bills, be committed to a Committee of the whole House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Whitney reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time To-morrow.

Ordered, That the Bill to enforce the enregistration of Titles to Lands in the Townships of Lower Canada, and the Report of the Select Committee thereon, be committed to a Committee of the whole House, for Monday next.

MR. LORANGER moved that the message from the Legislative Council relative to the Seat of Government be now read.²

MR. BROWN objected that the house could not again take into ... consideration a matter it had already decided during the current session. The message must simply lie on the table.³

MR. SICOTTE the SPEAKER said that the motion was simply for the reading of the message, and was quite in order. It was only a matter of courtesy to the Legislative Council that the document should be read.⁴

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*On motion of Mr. Loranger, seconded by Mr. Desaulniers,
Ordered, That the Message from the Legislative Council, received yesterday, acquainting this House, that their Honors have agreed to an Address to His Excellency the Governor General, praying that His Excellency will be pleased, in the exercise of the Royal Prerogative, to fix permanently upon some convenient place for the annual assembling of Parliament, to which they desire the concurrence of this House, and the said Address, be now read.*

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And the same were read accordingly.

MR. LORANGER moved that the said message be now taken into consideration.⁵

MR. J.S. MACDONALD (Glengary.)--The address has now been read a first time. The proper course is to move that it be read a second time on some future day.⁶

MR. BROWN.--It has not been read a first time. It is only the message that has been read.⁷

MR. PRES. EX. COUN. MACNAB.--I apprehended that once a decision has been given by this house on any question it cannot be taken up a second time during the same session. It is the same question again presented to us, whether we shall have alternate Parliaments, or a fixed seat of government, but the judgment of this house has already been taken on that question and recorded, and it is rather an extraordinary thing that the Lords should in those circumstances send down their opinion and ask us to change ours.⁸

MR. J.S. MACDONALD (Glengary), said there was nothing in the resolution adopted by this house, that it was inexpedient in the meantime to alter the present system, which would prevent their concurring in an address to the Governor General asking his Excellency to exercise the royal prerogative (sic) in fixing a permanent seat of government. The hon. member for Toronto (Mr. Cameron), and the hon. member for Lambton (Mr. Brown), although they professed to have the utmost confidence in the Legislative Council as now constituted, were yet ready to stigmatize the interference of that body in this matter as a piece of downright impertinence, but they occupied a very inconsistent position in doing so.⁹

MR. CAMERON said the hon. member for Glengary had no right to imagine beforehand that he and his hon. friend from Lambton intended to call anything the Upper

House had done a piece of impertinence, and could not understand why the hon. gentleman should put language into their mouths which they never had the least intention of using. He did not look upon the action taken by the Legislative Council in that light at all, for they were not bound to notice the proceedings in the Lower House, nor were they supposed to be aware of them, as they were not asked to concur in the resolutions of this house. The Upper House had now sent down this address, which they received with all proper courtesy, but it came to be a very different thing when they were asked to concur in it, in direct opposition to the resolution they had already passed during the present session, that the Seat of Government should be alternately at Toronto and Quebec, whereas by this address his Excellency would be asked to fix the Seat of Government in some place permanently.¹⁰

MR. BROWN said he quite agreed in the argument of the hon. member for Toronto, but he did not think he had put it in so strong a light as he would have been warranted in doing. He was quite sure on the other hand that the argument of the hon. member for Glengary was totally incorrect. That hon. gentleman seemed to imagine that the only question this house had decided was that the present arrangement should not be broken up. But the house must remember that beyond that they had decided against this very resolution sent down from the Legislative Council, having negatived Mr. Patrick's motion, which was expressed in almost identically the same language as was used in this address. (Hear, hear.)¹¹

MR. SOL. GEN. H. SMITH.--No vote was taken on that motion.¹²

MR. BROWN said the hon. gentleman was mistaken, and read from the Journals of the House, to show that a vote having first been taken on his (Mr. Brown's) amendment, which was carried, by 61 to 54, a final division was taken on the main motion (Mr. Patrick's) as amended, which passed by 58 to 40, (Hear, hear.) Mr. Brown then proceeded to read from May's Parliamentary Precedents, several passages to the effect that no motion could be put a second time, on which--or even on one substantially the same--the judgment of the House had been expressed during the current session--a very necessary rule, but for which the same motions might be repeated over and over again, and the session could never be brought to an end. And so rigidly was this rule observed in England that on one occasion when a Bill had been thrown out by one of the Houses, and the Government of the day again wished to introduce a Bill of the same kind, they actually had to prorogue Parliament, and have a new session in order to do so.--(Hear, hear.)¹³

MR. LORANGER said that May was no authority in April.¹⁴

MR. J.S. MACDONALD (Glengary).--But this is not a Bill.¹⁵

MR. BROWN.--That makes the case still stronger, for the details of a Bill may be so altered as almost entirely to change its character. But here we have one distinct issue, on which the decision of the House has been already clearly given this Session, whether or not there shall be a permanent Seat of Government, and we are asked now to give an opinion upon it directly opposed to what we have before deliberately expressed. I will not detain the House reading cases in point from the practice of the English Parliament, the question being so clear as not to require it. (Hear, hear.) I ask the speaker, whether the motion now in his hands can be put to the House?¹⁶

MR. AT. GEN. DRUMMOND wishes to say a few words on the point of order which had been raised, before the Speaker gave his decision. Mr. Brown's resolution agreed to by the House on the 23rd March was simply that it was inexpedient to disturb the existing arrangements. All that that involved was that it was inexpedient then, at the time that resolution was come to. (Oh! oh! and laughter.) Hon. gentleman (sic) might laugh as they like, but that was the whole meaning of it, and what was inexpedient to-day might be expedient to-morrow. For example, suppose that when the resolution was adopted they were in a time of peace, as they still were, thank God, but that in the interval the country had been invaded by a hostile force, could it have been expedient to remove to Toronto under such circumstances as those? Would it not then have been expedient to resolve that the previous resolution should be departed from, and that they should remain under the shadow of the citadel of Quebec?¹⁷ The resolution of the House applied to the time at which it was passed, and the question now before us was whether we can concur in an address adopted by the Upper House.¹⁸ He thought, therefore, that they could enter upon the consideration of the Address from the Legislative Council, without in the least breaking through the usages of this House.¹⁹

MR. PRES. EX. COUN. MACNAB said the Attorney General put the question on this footing that it might be expedient a few days ago to determine to carry out in good faith the agreement with Upper Canada, but that it might be inexpedient to do so now. According to that view it might be inexpedient to decide a question one way to-day, and to decide it in an entirely different way to-morrow. Such, however, was not Parliamentary practice, as had been clearly shown by the hon. member for Lambton.²⁰ Was it because it was sent down by the Legislative Council, that it was expedient to consider it now?²¹ He would like to have the opinion of the Chair on the point of order whether the question could be entertained this session.²²

MR. SOL. GEN. H. SMITH wished to say a word or two on this question.²³

MR. PRES. EX. COUN. MACNAB.--The Speaker has been asked to decide a point of order.²⁴

MR. SOL. GEN. H. SMITH said it was all very well for the gallant knight, having made his own speech, to demand the Speaker's decision, but he desired himself to say something before the decision was given. He understood the point of order to be that question having been once decided could not be raised again during the same session. But could they not receive any vote of Parliament (sic) during the same session? May laid it down that it was not wise or prudent (sic) to affirm during the same session what had previously been negatived, but it was constantly the practice in England to re((s))cind votes previously given (No! No!)²⁵ This was only adopting a parliamentary dodge to get rid of the question.²⁶ Il trouve singulier de voir que tous ceux qui s'opposent à la prise en considération sont ceux qui désirent voir transporter le siège du gouvernement dans le Haut Canada. Il demande si l'opinion publique ne doit pas avoir quelque chose à faire dans cette question? et il est certain que, dans quelques jours, on verra la table couverte de pétitions demandant que le siège du gouvernement soit fixé permanemment (sic), car l'opinion est décidément opposée au système alternatif. Il déclare qu'il est pour la permanence, en faveur de n'importe quel endroit, mais il faut que le siège du gouvernement soit fixé quelque part. D'ailleurs, on peut adopter cette adresse sans que cela intervienne dans les arrangemens actuels, mais seulement il faudra fixer le

siège permanemment (sic), au bout de quatre ans qu'il aura été à Toronto.²⁷ He desired an opportunity to be given of seeing whether hon. members would adhere to the votes they formerly gave.²⁸

MR. J. MORRISON (Niagara) wished to know if the responsibility of the Ministry was to be shirked in this matter. (Hear, hear.) Only a few days ago the Commissioner of Public Works got up and made a statement, which indicated that the Government had now adopted a settled policy on this question. Were they to shirk the responsibility of carrying out that policy? (Hear, hear.) If they did he would be prepared to vote want of confidence in them. (Hear, hear.) Let them make up their minds to take either one course or another, in their capacity as a Ministry.²⁹

MR. PRES. EX. COUN. MACNAB, without responding to the appeal of the member for Niagara, offered some remarks in reply to the argument of the Solicitor General.³⁰ ((He)) had no doubt that any honorable gentleman could move a vote to rescind; but³¹ here the very same question ... same phraseology as had already been ... upon. It was an unheard of course ... Legislative Council to send down their message asking them to reconsider a question on which their solemn judgment had already been pronounced (sic), and he was not sure but it was a breach of the privileges of this House.³²

MR. GAMBLE thought there was a great deal of force in the view of the question taken by the hon. member for Niagara. (Hear, hear.) He considered it the duty of the Government to see that the resolutions of this House were carried out and that they were not brought up again for renewed discussion during the same session. (Hear, hear.)³³

MR. MURNEY.--The House has decided the question as to the Seat of Government and it cannot again be taken up. But independently of that, another question has been raised very properly and very justly by the hon. member for Niagara. If we are to have a Government, let us have one that will not shrink from the responsibility that fairly attaches to it.³⁴

MR. SICOTTE the SPEAKER.--Let the hon. gentleman speak to the point of order.³⁵

MR. MURNEY.--Yes! Mr. Speaker. But, independently of the point of order, there is a nice little family fight going on among hon. gentlemen opposite, and I would like to see it concluded. For my own part I decidedly hold the Government responsible.³⁶

MR. LORANGER dit que la question est de savoir si la chambre répondra ou ne répondra pas à un message du conseil législatif, et si on n'y répond pas d'une manière ou d'une autre, ce sera un grand manque de courtoisie. Il pense que la règle citée par l'hon. membre pour Lambton, puisée dans May, n'est pas aussi inflexible que l'hon. membre le prétend, et il cite plusieurs exceptions où la même question, ou un même bill, a été deux fois considéré dans une session en Angleterre. D'ailleurs, un vote de la chambre peut toujours être rescindé. Il cite aussi une question décidée d'une manière par la chambre d'assemblée, le 8 septembre 1841, et, dans la même session, elle a été de nouveau reprise en considération et décidée d'une manière différente; la même chose est arrivée plusieurs fois. Il y a donc des exceptions à la règle générale, et on peut parfaitement, selon lui, prendre l'adresse en considération.³⁷

MR. BROWN said the hon. gentleman had forgot to read the passage from May which immediately followed the instances he had cited, in which it was stated that in all those cases, the disagreement between the two Houses was only partial and formal. (Hear, hear.) It was clear they had no bearing on the present question. (Hear, hear.)³⁸

MR. A. DORION (de Montréal) pense qu'il est inutile de chercher si loin des précédens d'exceptions à la règle citée par l'hon. membre pour Lambton, car dans la première partie de la session, la chambre a adopté une loi pour abolir les réserves du clergé, et il y eut une longue discussion sur la clause de commutation; pourtant l'hon. membre pour Lambton lui-même est revenu, durant cette session, avec une résolution à propos de la clause de commutation, et il y eut encore une longue discussion. La même chose a eu lieu à propos des rectoreries, et cela, de la part de l'hon. membre pour Lambton lui-même, qui est si fortement opposé aujourd'hui à ce que la chambre prenne en considération une question de même nature que celle qui a été décidée auparavant.³⁹ The hon. gentleman had ... lost his Bill to abolish the Rectories, and yet had given notice that he would introduce the same question again in the form of resolutions.⁴⁰ Il pense donc que la chambre peut prendre l'adresse en considération sans violer les règles, parce qu'il faut donner une réponse quelconque au message de la chambre haute.⁴¹

MR. BROWN.--The hon. gentleman misapprehends the point of these resolutions.⁴²

MR. SICOTTE the SPEAKER.--And he cannot found a precedent on a notice of motion, where no resolution has been adopted by the House.⁴³

MR. A. DORION.--But I have a right to show by the conduct of the member for Lambton, that at least in the opinion of that hon. gentleman, the same question having been once decided can be revived again during the same session in a different form.⁴⁴

MR. SICOTTE the SPEAKER then gave his decision on the point of order raised by Mr. Brown. In his opinion the question formerly decided and that now before the House were substantially the same. The motion, therefore could not be put. (Hear, hear.)⁴⁵

MR. PRES. EX. COUN. MACNAB said that that motion having been refused, he apprehended the proper course was to move that a conference be desired with the Legislative Council, and afterwards that instructions be given to the members waiting on the council to acquaint their Honors that this House before receiving their address had come to a resolution of their own on the subject, and to deliver back their address. He therefore moved "That a conference be desired with the Honorable the Legislative council on the subject of their message of the 25th instant, relative to a fixed Seat of Government."⁴⁶

MR. J.S. MACDONALD (Glengary) objected to the motion being put without notice.⁴⁷

MR. FELTON moved that the consideration of the question of holding a conference with the Legislative Council be deferred till to-morrow, which was agreed to.⁴⁸

MR. LORANGER donne alors avis qu'il proposera demain que le vote de cette chambre du 23 mars dernier, relatif au siège du gouvernement, soit rescindé.⁴⁹

(929)

Ordered, That the Bill to enable the Great Western Railway Company to construct a Branch Railroad to the Town of Brantford, and to increase its Capital Stock, and for other purposes, as reported from the Standing Committee on Railroads, Canals, and Telegraph Lines, be committed to a Committee of the whole House, for Monday next.

Ordered, That the Bill to incorporate the Canada, Newfoundland, and London Telegraph Company, as reported from the Standing Committee on Railroads, Canals, and Telegraph Lines, be committed to a Committee of the whole House, To-morrow.

Ordered, That the Return relative to the Quebec Turnpike Trust, presented on the tenth instant, be printed for the use of the Members of this House.

The Order of the day for the third reading of the Bill to amend the Port Dalhousie and Thorold Railway Act, by extending the said Road from Thorold to Port Colborne, and for other purposes, being read;

Ordered, That the Bill be read the third time on Thursday next.

The Order of the day for the third reading of the Bill to incorporate the L'Assomption River and Railroad Company, being read;

Ordered, That the Bill be read the third time on Monday next.

The Order of the day being read, for resuming the adjourned Debate upon the Amendment which was, on Monday last, proposed to be made to the Question, That the amendments reported to the Bill to prevent the traffic in Alcoholic and Intoxicating Liquors be now read a second time; and which Amendment was, "That all the words after 'That' to the end of the Question be left out, in order to add instead thereof the words 'the Bill be re-committed to a Committee of the whole House with a view to amend the same, by leaving out from the word 'Whereas' in the first line of the Preamble, to the end of the Bill, and inserting the following, or words to the same effect, instead thereof: 'the re-tailing of Intoxicating Liquors is a cause of drunkenness and demoralization; And whereas it is the interest of all that some means should be adopted to prevent such demoralization; Be it, therefore, enacted, &c., as follows:--

"The retailing of Intoxicating Liquors in the manner which is denominated 'by the glass' or 'by the dram' is prohibited, and the sale of such Liquor in any quantity, with a view to its being drunk on or about the premises where it is sold, is a selling by the glass within the meaning of this section:

"The places commonly known as 'dram shops' or 'grog shops' are hereby prohibited, and declared public nuisances, and the establishment or keeping of one shall be held presumptive evidence of the violation, by the keeper thereof, of the preceding section:

"The establishment or keeping of a place of any description whatever, and whether within or without any building, coming within the spirit and intent of this Act, and the establishment or the keeping a place of any description where other persons are accustomed to resort, providing their own liquor of the prohibited character purchased elsewhere, and drinking it there, shall be taken to be keeping a 'grog shop' within the meaning of this Act, and to be prohibited:

"The sale of any Intoxicating Liquor in a less quantity than one gallon is prohibited, but nothing in this Act shall prevent or prohibit the sale of Intoxicating Liquor in any quantity demanded to any sick person, or for the use of any sick

(930)

person, if a certificate of the Physician attending such sick person, or of a Priest, or of a Minister residing in the locality, attesting that such Liquor is required for such sick person, is exhibited and delivered to the person selling such Liquor:

"Every person committing or concerned in any of the acts above prohibited, or in any way aiding or assisting in any such act, whether as principal or as clerk, bar-keeper, or otherwise, shall be subject to a penalty of Twelve pounds ten shillings currency of this Province, and shall forfeit for every such offence the said sum of Twelve pounds ten shillings, with costs, to such person as shall sue for the same, and such sum may be sued for and recovered in any of Her Majesty's Courts, or before any Justice of the Peace, by action of debt, bill, plaint or information; and no license, issued or to be issued, shall be held to justify or excuse anything done in contravention of this Act, or to exempt the person contravening the same from the penalty hereby imposed:

"A Writ of execution or a Warrant of distress may issue, in the usual form, against the moveables and immoveables of any person convicted of any of the offences above mentioned, for levying the penalty and the costs, and in default of payment within fifteen days after the condemnation, a Warrant or order may issue against the body of the person convicted of such offence, to imprison such person in the Common Goal (*sic*), within the limits of the jurisdiction of the Court or Justice before whom he shall have been convicted, until the penalty and the costs shall be paid:

"Provided always, that a Tavern-keeper or Hotel-keeper duly licensed, shall not be considered as selling Intoxicating Liquor by the glass within the prohibition of this Act, or as selling the same in contravention of this Act, by reason of his selling Wine to any traveller or to any person lodging or boarding in his house; provided such Wine is sold and drunk at the ordinary meals of such traveller or boarder:

"Provided also, that any Tavern-keeper or Hotel-keeper who may be convicted of having permitted or suffered any such traveller or boarder to get into a state of intoxication with Liquor so furnished at the ordinary meals, will be considered as having sold Liquors by the glass or by the dram, contrary to the provisions of this Act, and shall be subject to the penalty herein provided for such offence:

"Any person found in a state of intoxication, after the passing of this Act, upon conviction of the fact before a Justice of the Peace, shall be liable to be imprisoned for not less than twenty-four hours, nor more than four days:

"All Courts, Judges and Justices of the Peace, shall construe this Act so as to prevent evasions and subterfuges, and so as to cover the act of giving as well as of selling Intoxicating Liquor in the places and manner above prohibited." "

MR. WHITNEY hoped the order should be postponed, as this was the only day in the week which private members had for going on with measures of a general nature. (No! No!)⁵⁰

(930)

Mr. Felton moved, seconded by Mr. Poulin, and the Question being put, That the said adjourned Debate be now resumed; the House divided: and the names being called for, they were taken down, as follow:--

(930-931)

YEAS.

Messieurs Aikins, Bell, Bellingham, Biggar, Bourassa, Brodeur, Brown, Bureau, Chapais, Chisholm, Christie, Church, Cook, Daly, Darche, Delong, Desaulniers,

DeWitt, Dionne, Jean B.E. Dorion, Antoine A. Dorion, Dostaler, Felton, Frazer, Freeman, Gill, Gould, Hariman, Holton, Huot, Jackson, Jobin, Langton, Lumsden, Macbeth, John S. Macdonald, Roderick McDonald, McCann, Matheson, Mattice, Meagher, Merritt, Mongenale, Munro, Papin, Patriek, Poulin, Pouliot, Prévost, Rolph, James Ross, Sanborn, Sartorius, Smead, Sidney Smith, James Smith, Somerville, Spence, Stevenson, Terrill, and Wright.--(61.)

(931)

NAYS.

Messieurs Cameron, Cartier, Casault, Cauchon, Cayley, Chauveau, Clarke, Charles Daoust, Jean B. Daoust, Attorney General Drummond, Dufresne, Fergusson, Ferres, Ferrie, Foley, Thomas Fortier, Octave C. Fortier, Fournier, Gamble, Guévremont, Hébert, Lacombe, Laberge, Lawill, Lefebvre, Loranger, Attorney General Macdonald, Sir A.N. MacNab, Marchildon, Masson, O'Farrell, Rhodes, Robinson, Solicitor General Ross, Thibaudeau, Turcotte, and Whitney.--(37.)

So it was resolved in the Affirmative.

The House accordingly resumed the said adjourned Debate;--

MR. DUFRESNE again submitted his amendment that the Bill be sent back to a committee of the whole, with instructions to substitute an entirely different set of provisions, making drunkenness a punishable offence, and prohibiting the selling of liquor by the glass, except in cases of sickness, and to travellers and boarders in hotels. He said if he lost this amendment, he should vote for the Bill as introduced by the member for Wolfe, although he would have preferred that a more moderate experiment should first be tried.⁵¹ ((Il)) dit qu'il ne veut pas faire tomber le bill de l'hon. membre pour Sherbrooke, parce qu'il est en faveur de la tempérance; il ne veut seulement que l'amender de manière à le rendre utile et acceptable.... Il pense cependant qu'une loi comme celle-là ne peut pas fonctionner, et que ceux mêmes qui veulent la voter la transgresseront les premiers.⁵²

MR. THIBAudeau, tout en étant en faveur de la tempérance, est opposé au bill de l'hon. membre pour Sherbrooke, parce qu'il croit que cette loi ne sera pas efficace, et qu'elle ne pourra produire aucun bon résultat. Il n'y a personne qui ait fait plus de sacrifices que lui pour établir la tempérance dans son comté, mais il ne veut pas d'une loi prohibitive; il préfère les amendemens proposés, parce qu'il croit qu'une loi basée sur ces amendemens serait plus efficace et plus facilement mise en force.⁵³

MR. POULIOT se prononce en faveur du bill, parce qu'il faut extirper la vice de l'ivrognerie, qui change les hommes en brutes, et qui est la cause de tous les maux et de tous les crimes. Il dit que c'est encourager le mal que de ne pas l'empêcher quand on le peut, et que la législature doit empêcher celui-là.⁵⁴

MR. LORANGER, après avoir tourné en ridicule certaines idées de M. Pouliot, dit que pour avoir le droit de parler comme vient le faire l'hon. membre, il faudrait au moins mettre sa conduite en harmonie avec ses paroles, et être de la tempérance depuis au moins cent ans. Si beaucoup de membres supportent les amendemens proposés, c'est parce qu'ils croient que la loi devant la chambre n'est pas convenable au peuple, et ne pourrait pas fonctionner, et parce qu'ils pensent que ces amendemens sont plus favorables à la tempérance que le bill lui-même. Ils veulent extirper l'intempérance, et dans ce but, ils veulent faire une loi raisonnable et surtout praticable; mais ils ne veulent pas d'une loi que beaucoup de membres supportent

seulement pour s'acquérir ou conserver leur popularité. Il pense que le pays ne demande pas une loi prohibitive, mais seulement une loi de tempérance qui empêcherait les excès et punirait les ivrognes, car il comprend que la loi de l'hon. membre ne pourrait pas être mise en opération.⁵⁵

MR. TURCOTTE ((spoke against the bill.))⁵⁶

MR. COM. CR. LANDS CAUCHON dit que l'hon. membre pour Dorchester (M. Pouliot) a fait de grands frais d'imagination, et a dit que la cause première de l'ivrognerie est la boisson; mais il (M. C.) pense qu'au contraire la cause première de l'ivrognerie c'est la vigne, l'orge, l'avoine et les autres grains qui sont convertis en liqueurs, et que pour arracher le mal dans sa racine, il faudrait arracher ces grains et s'attaquer à Dieu lui-même. Avec un principe comme celui-là, on va trop loin. Il n'y a peut-être personne qui ait écrit plus que lui (M. C.) en faveur de la tempérance, mais il n'est pas du tout en faveur d'une loi comme celle-là. Il peut dire aussi que le clergé, qui a tant fait pour établir la tempérance, n'est pas en faveur de la loi du Maine. Il serait en faveur d'une loi dans le genre de celle de l'hon. membre pour Montmagny (M. Casault), car il craint la réaction que produirait certainement une loi prohibitive aussi absolue. Cette loi est absurde et on verra bien, plus tard, qu'elle n'est pas praticable; car faire des lois de cette nature, c'est forcer les gens à ne pas les respecter, et cela ne tend qu'à jeter du discrédit sur la législature. Il est certain qu'après la passation de cette loi, il y aura autant d'auberges qu'il y en a aujourd'hui, s'il n'y en a pas plus. On verra, comme cela se voit dans les États-Unis qui sont soumis à la loi du Maine, s'établir des pharmacies partout, qui débiteront des boissons, et des colporteurs parcourir les campagnes avec les bibles remplies de liqueurs.⁵⁷

MR. O. FORTIER (de Bellechasse) se prononce contre le bill, quoiqu'il ait voté en faveur lors de son introduction. Il espérait qu'il subirait des amendements dans le comité de manière à le rendre acceptable; mais comme cela n'a pas eu lieu, il se voit dans l'obligation de s'y opposer, car il pense qu'il n'atteindra pas le but proposé. Il est aussi contre le bill, parce qu'il crée une dangereuse distinction entre la riche et le pauvre; il serait en faveur d'une bonne loi de tempérance, mais non en faveur de celle-ci.⁵⁸

MR. LABERGE croit que ceux qui ont jusqu'ici discuté la question dans un sens favorable au bill, ont complètement perdu de vue le véritable terrain sur lequel elle devrait être placée. On a fait un sombre tableau des maux et des crimes engendrés par l'abus des liqueurs fortes, mais on peut trouver dans tous les almanachs américains, dans tous les tracés, des tableaux bien plus touchants, bien plus déchirants, et beaucoup plus intéressants que tout ce qu'a pu dire l'hon. membre pour Dorchester (M. Pouliot), malgré toute son éloquence et la force de son raisonnement. On connaît tout cela aussi bien que lui; on sait parfaitement que l'usage immodéré des liqueurs fortes produit de mauvais résultats, et que c'est une chose abominable, exécrable, atroce et tout ce qu'il voudra. Mais cela veut-il dire que l'usage modéré des boissons fortes est une chose déplorable et condamnable? S'il fallait défendre l'usage de tout ce qui peut être nuisible, en en faisant un usage immodéré, il y aurait une foule de choses qui sont maintenant regardées comme utiles ou indispensables, auxquelles s'appliquerait ce principe, et on en viendrait à régler ce qu'il faudrait manger et ce qu'il ne faudrait pas manger, la manière de ce vêtir, etc. Pour lui, il est certain que cette idée de vouloir régler par la loi ce

qu'un homme devra boire ou manger, tombera dans le ridicule, comme sont tombées toutes les lois de même nature, car ce n'est pas la première fois qu'on veut prohiber l'usage d'une chose. On a voulu autrefois prohiber l'usage du tabac, lorsqu'il a commencé à être introduit, et les puritains en ont même fait une affaire de conscience; mais ils ont été impuissans contre l'habitude, et le seul résultat de cette loi a été de propager, plutôt que de diminuer, l'usage du tabac. La loi du Maine recevra une application semblable, et elle n'aura pas plus d'effet que n'en ont eu les autres lois prohibitives, dont on voit les traces dans l'histoire.

Mais, comme il l'a déjà dit, la question n'a pas encore été placée sur son véritable terrain, et ce terrain est de savoir si c'est un crime, comme dit l'hon. membre pour Dorchester, de faire un usage modéré des boissons fortes; c'est de savoir si c'est seulement un mal, et si cela a jamais été considéré comme tel dans aucune religion et par aucune loi de morale. Pour sa part il répond que non. Certes, l'abstinence des boissons fortes est une belle chose, c'est une vertu bien louable,--mais il maintient que ce n'est ni un crime, ni un mal, ni une immoralité, ni même une chose répréhensible, de ne pas s'abstenir et de faire un usage modéré de liqueurs fortes. Il pense que la loi a bien assez à faire d'empêcher, de réprimer et de punir ce qui est réellement mal, sans essayer encore d'empêcher et de condamner ce qui ne l'est pas.

Mais si la majorité du Haut-Canada--car cette loi nous sera imposé par une majorité du H. C.,--désire tant avoir la loi; si elle soupire après le règne de l'eau froide, comme le cerf altéré soupire après la source limpide, si l'opinion publique est tellement en faveur de cette loi dans cette partie de la province,--qu'elle la vote pour le Haut-Canada seulement, et quand elle aura fonctionné là pendant quelques années, le Bas-Canada verra ce qu'il aura à faire. Mais il maintient que l'opinion publique dans le Bas-Canada n'est pas en faveur de cette loi, mais seulement en faveur de la tempérance produite par la persuasion et la prédication, seule manière de rendre les hommes tempérans et de faire quelque chose de bon et de durable. On ne peut pas faire de tempérance avec une loi comme celle-là dans le Bas-Canada, ni nulle part ailleurs, surtout quand on sait qu'il suffit de défendre une chose pour porter à faire le contraire. Croit-on réellement que la police pourra faire ce que les prédications du clergé ne peuvent pas faire? Ne craint-on pas de rendre la tempérance odieuse au peuple du moment qu'on fera de cette vertu une obligation? Ne craint-on pas de tuer la tempérance en chargeant les hommes de police de faire de la morale de par la loi? Loin de favoriser la tempérance, on lui portera un coup mortel dans le Bas-Canada; car le peuple ne voudra pas se soumettre à la loi, quand il la verra éludée tous les jours par les riches et par ceux qui sont chargés de veiller à l'exécution des lois. Et que pourront faire les prédications de ceux qui ne pratiqueront pas eux-mêmes ce qu'ils prêcheront? Rien du tout.

L'argument qu'il va maintenant développer lui semble plus fort et plus concluant que tous les autres contre le bill, au moins pour ceux qui ne veulent pas imposer à leurs voisins leurs opinions et leurs préjugés. Et cet argument, c'est qu'il ne faut pas considérer comme un mal l'usage modéré des liqueurs fortes, et que la législature va plus loin qu'elle ne doit réellement aller en défendant une chose qui n'est pas un mal; tout ce qu'elle peut et doit faire, c'est d'empêcher l'ivrognerie, car l'homme ivre peut nuire à ses voisins ou à la société, et c'est ce qu'il faut empêcher. Pour lui (M. L.) il sera toujours prêt à voter en faveur d'une loi de tempérance qui pourra être efficace, mais il ne votera jamais en faveur d'une loi qui forcerait l'homme à être vertueux malgré lui, car cela ne peut produire que l'hypocrisie.

Un pays qui ne peut être amené à la vertu par les prédications et la religion est un pays bien malheureux. La vertu et les bonnes-mœurs doivent être produites par la religion et la persuasion, et non pas par la force de la loi. Dans un pays où il n'y aurait aucune morale, une loi de cette nature serait peut-être nécessaire, mais ce n'est certes pas dans le Bas-Canada, où la population est extrêmement morale et imbuée de principes religieux, qu'une loi comme celle-là peut être utile ou nécessaire. Une telle loi ne serait justifiable dans aucun pays, et elle le serait ici moins que partout ailleurs.--Mais il faut encore examiner tous les effets, toutes les conséquences de cette loi, et l'une de ces conséquences est que les amis de la tempérance auront la bouche scellée, et qu'ils croiront n'avoir plus rien à faire du moment où la législature aura décrété la tempérance pour tout le monde, de gré ou de force. La cause de la tempérance y perdra beaucoup de discours éloquents dont les effets sont bien évidents pour l'extinction de l'intempérance, mais les partisans du régime de l'eau froide auront réussi à imposer leurs vues et leurs opinions, et c'est ce à quoi ils semblent tenir le plus fortement.

Il sera peut-être tems, dans quinze ou vingt ans, si l'opinion publique le demande, de faire une loi de cette nature; mais la faire aujourd'hui c'est aller trop vite, car l'opinion publique n'est pas prête à la recevoir, et le peuple n'est pas prêt à s'y soumettre. Cette loi est un remède extrême, et elle n'est pas requise pour réprimer l'intempérance; elle aura le même effet sur le corps social que celui produit sur un malade par un remède extrême, administré dans le commencement de la maladie, au lieu de l'être lorsque tous les autres ont été épuisés: au lieu de produire la tempérance, elle la tuera. Et si la loi ne peut pas fonctionner, si la contrebande empêche de la mettre à exécution, si l'opinion publique se révolte contre elle et l'élude, comme toute loi peut être éludée, que ferez-vous alors? Cette loi sera-t-elle exécutable? Il pense que non, et par conséquent il vaut beaucoup mieux ne pas la passer, plutôt que de s'exposer à ne pas pouvoir la mettre en force. Il est de principe qu'il ne faut jamais faire de lois inexécutables, parce que cela provoque à l'immoralité et au mépris des lois, et ce principe s'applique parfaitement dans le cas actuel. Il y a des hommes plus compétens que lui qui ont exprimé l'opinion que la loi ne pourrait pas être exécutée. L'hon. ex-inspecteur-général (M. Hincks), qui doit s'y connaître, a dit qu'il serait impossible de la mettre en force en prévenant la contrebande sur une frontière d'une aussi grande étendue que la nôtre. Puisqu'on ne peut pas l'empêcher sur d'autres articles, comment l'empêchera-t-on sur les liqueurs? Si l'intempérance est tellement enracinée chez le peuple que les amis de ce bill le prétendent, en disant que la persuasion morale n'est pas assez forte pour la détruire, et qu'il faut absolument une loi pour y mettre un frein, on cherchera à l'éluder et à introduire des boissons fortes par contrebande en raison même de l'intempérance, et l'autorité sera impuissante à empêcher cette violation de la loi. D'ailleurs, le Bas-Canada n'a-t-il pas déjà fait un peu l'expérience de cette loi, et cette expérience n'est-elle pas défavorable à la loi? N'y a-t-il pas des comtés qui ont refusé d'accorder aucune licence d'auberge, pensant par là attaquer l'ivrognerie dans sa source? Et qu'est-il arrivé? C'est que malgré toute la sévérité des ordonnances municipales, il s'est vendu autant et plus de boissons dans ces comtés. Seulement, les gens étaient obligés de violer la loi et de se cacher un peu, mais ceux qui voulaient boire n'en buvaient pas moins. Et n'a-t-on pas vu l'application de la loi dans les États voisins? Il a voyagé dans le Maine et dans le Massachusetts, depuis la passation de la fameuse loi, et il a vu que la loi fonctionnait si mal, qu'il s'y débitait tant de boissons, sous les yeux même de l'autorité, qu'il n'en aurait jamais deviné l'existence, s'il n'eût su par la notoriété publique et par les journaux, que la loi du Maine était censée y être en force.

Il pense qu'avant d'amener les populations à admettre l'excellence de la loi du Maine, il faudrait prouver que l'usage modéré du vin est un mal ou une chose immorale en elle-même, ce qui est impossible, malgré toute la force de raisonnement des amis du bill; il faudrait aussi en venir à blâmer l'auteur de la vigne et des plantes qui produisent les boissons spiritueuses. Et croit-on que la loi sera mieux observée ici qu'elle ne l'est dans les États voisins? Si on le croit c'est une étrange erreur.--Mais pourquoi les partisans du bill ne poussent-ils pas leur principe jusqu'à ses dernières conséquences? Pourquoi, puisqu'ils veulent établir le règne de la tempérance par la force, ne prohibent-ils pas l'importation des boissons fortes? C'est donc qu'ils ne sont pas sincères, et qu'ils ne croient pas que l'usage modéré des liqueurs spiritueuses soit une chose si épouvantable, car ils pourront en importer et ils en importeront après avoir imposé l'abstinence à leurs voisins qui n'auront pas autant de moyens qu'eux, et qui, pour agir comme eux, seront obligés de violer la loi. S'ils défendaient l'importation, et s'ils sacrifiaient ainsi leur intérêt personnel, c'est alors qu'on pour(r)ait les croire sincères et vraiment convaincus.

Une autre considération que les amis du bill ont éludée depuis le commencement des débats, parce qu'ils ne peuvent l'aborder de front, c'est que le bill ne pourvoit pas à indemniser ceux qui éprouveront des pertes directes et considérables par l'adoption de cette loi. Si la vente des liqueurs n'est pas un crime en elle-même, si la loi l'a reconnue comme légale et que l'état en a même fait une source de revenus, si ces revenus ont même été appliqués au rachat des droits seigneuriaux, comment peut-on tarir cette source de revenus et priver ceux qui sont engagés dans les industries qui seront abolies par ce bill, des moyens de faire vivre leurs familles, sans les indemniser pour les pertes qu'ils encourront? On appelle meurtre juridique une condamnation à mort prononcée par un tribunal incompetent, quel nom donner à une spoliation commise par la législature? Il ne peut comprendre qu'on puisse commettre une pareille injustice envers ceux qui n'ont d'autre tort que celui d'exercer une industrie (sic) reconnue et même encouragée par l'état, en ce qu'il en fait une source de revenus. Cette question devra revenir, et il votera en faveur d'un amendement, demandant d'indemniser ceux qui seront ainsi dépouillés dans le but de soutenir seulement une théorie impraticable.

Il sait qu'on essaiera de faire du capital politique avec cette question, et qu'on voudra faire croire au peuple que ceux qui s'opposent au bill sont, en principe, opposés à la tempérance,--mais comme il est convaincu que le bill a des tendances hostiles à la tempérance, il s'inquiète fort peu de ce qu'on pourra dire. On peut en appeler à l'avenir, qui démontrera que le bill dépasse le but que les véritables amis de la tempérance voudraient atteindre.⁵⁹

MR. MARCHILDON ... opposed ... the Bill⁶⁰.

MR. SANBORN said it seemed to be the policy of the friends of the measure, not to take up the time of the House in discussing the measure, as their views had already been fully and frequently stated in the public prints and other-wise, all over the country. He would not, therefore, detain the House long.⁶¹ Gentlemen opposed to this measure complained very bitterly that they were accused of being opposed to the temperance movement and to temperance principle. They professed to feel themselves very much aggrieved that such an imputation should be cast upon them; while they themselves in the very same breath, accused those in favor of the bill with being influenced by selfish and unworthy motives--with being, in fact, a pack of hypocrites. They were quite willing to challenge others with improper

motives, but very desirous that their own views and motives should pass unchallenged.⁶² It was a curious circumstance that all who opposed this law declared themselves to be the friends of temperance par excellence. And it was the same out of the House. They could not find a man in the whole country who would say he was opposed to the principles of temperance, or even to a temperance law. All were friends of temperance, and the only question was how they should arrive at the best mode of attaining their object, that of having a temperate community. The two chief arguments against a Prohibitory Bill was that it interfered with personal liberty, and that it would deprive us of one of the most fruitful sources of the public revenue. That about the interference with personal liberty was an old argument brought up ever since the pioneers of the temperance cause broached their principles. But all efforts to bring men to conform to salutary rules laid down for the good of the whole community were in point of fact an interference with personal liberty, but were absolutely necessary for the well-being of society. So in the present case, such was the natural constitution of man that the sale and use of intoxicating drinks as a beverage would be more or less followed by intemperance, and the natural results of intemperance were pauperism and crime, by which the whole community was injured. The question then was not one merely of personal liberty, but whether in their capacity and as friends of humanity, they should protect the highest interests of society by removing the temptations to this vice, and with the vice itself, the evil results consequent on its existence. Temperance men did not take up the ground that the use of spirituous liquors was in itself a positive crime and sin, but with the fact staring them in the face that the unrestrained use of spirituous liquors were highly injurious to society, they considered that to banish them out of the community was the only certain remedy. (Hear, hear.) The other argument was that the revenue would suffer. But would not wheat, barley and other grains be as fruitful sources of revenue to the country before as after they were converted into poisons. And suppose they were not, if the revenue suffered in one way, it would gain in another by the decrease of pauperism, crime, debauchery and destitution. If they reduced the revenue, they would reduce the expenditure in a tenfold proportion.⁶³ But there was a higher view of the question. It was wrong for a moment to place the interests of the pocket against those of humanity. It was unworthy an intelligent and enlightened community to tolerate such a principle.⁶⁴ The hon. member then referred to the working of the law in Maine, and other States which had adopted it, and maintained that despite ... the statements of casual observers, there was ample evidence that it had been eminently successful.⁶⁵ From all that could be learned from public statistics, and from the testimony of Bishop Burgess--himself opposed to the law--all go to show that the law works well.⁶⁶ The provisions moved by Mr. Dufresne could not, he thought, be satisfactorily wrought out. They were so framed that it would be the easiest thing in the world to evade them. And they proceeded on the wrong principle of punishing the drunkard, the man so enslaved to his appetite as to be more an object for pity than for punishment. To do this would not alleviate the evil, but the only remedy was to remove from the country that which was the cause of drunkenness. (Hear, hear.)⁶⁷ It was objected to the bill that it secured privileges to the rich which were denied to the poor, while the amendments now introduced recognized the very same principle. The enjoyments--if they could be called so--of the poor men were denied, while the wealthy millionaire could quaff his wine without let or hindrance.⁶⁸

MR. CHAUVEAU would do violence to his conscientious feelings if he did not express his opinions. He regarded the object of the Bill to be to permit those who

drank much to drink more; and those who drank but little to drink nothing. The law was an aggressive and tyrannical one; it was the first development of that Puritanism, whose next effort would be to attack the religious faith of the ministry, and declare that all who refused to utter the shibboleth of their sect would be placed beyond the pale of society. He (Mr. Chauveau) did not at first believe that it was seriously contemplated to pass this law. He had treated it with levity as an attempt to create political capital. But it now appeared that the pretended friends of the Bill were determined to carry it, and he for one, would call upon all French Canadians to resist this attempt at suffering Canadian Puritanical dictation. The men who had always been regarded as the leaders of public opinion in the Lower Province were opposed to this Bill. Mr. Lafontaine and Mr. Morin were opposed to it, the clergy were opposed to it, and the representatives of the people should resist it. It was utterly incompatible with our personal liberties, with that freedom of thought and action, which ought to be held most sacred and guarded most zealously. It is unconstitutional, tyrannical, and oppressive.⁶⁹ How is it that these wines which are held up to our imagination as such vile, abominable, develish (*sic*) things, are to be forbidden to us for any but religious useses (*sic*)? strange contradiction in terms to mingle in our religious ceremonies that which is pronounced to be of a diabolical nature. The fanatics of Massachusetts while they push their fanaticism to a more frightful extent are yet for that reason more logical and consistent in their course. There wine is forbidden to be used even in the Christian's most sacred religious rite. Had the member for Dorchester been at Cana of Galilee would he not have admonished the Saviour not to turn the water into wine crying out "you will make poison of it, I am member for Dorchester, do I not know all about it?"⁷⁰

DR. T. FORTIER (of Nicolet) abused this sort of legislation as one of the many *bêtises* of the present century, *bêtises* in science, in politics and religion which would even mark the history of the period. It was an emanation from the gross anglo-saxon mind requiring the restraints of legal force to make it moral, a restraint which his celtic countrymen would shun, though most easily brought to reason and led to reform by means of moral suasion.⁷¹

(931)

And the Question being put on the Amendment ((moved by Mr. Dufresne)); the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Alleyn, Blanchet, Cameron, Cartier, Casault, Cauchon, Chauveau, Clarke, Charles Daoust, Jean B. Daoust, Antoine A. Dorion, Dostaler, Dufresne, Fergusson, Foley, Octave C. Fortier, Galt, Guévremont, Labelle, Laberge, Larwill, Lemieur, Loranger, Lumsden, Sir A.N. MacNab, Marchildon, Masson, Angus Morrison, O'Farrell, Rhodes, Robinson, Solicitor General Rose, Thibandeau, Turcotte, and Whitney.--(35.)

NAYS.

Messieurs Aikins, Bell, Biggar, Bourassa, Brodeur, Brown, Bureau, Chapais, Chisholm, Christie, Church, Cook, Daly, Darche, DeLong, Desaulniers, DeWitt, Dionne, Jean B.E. Dorion, Felton, Frazer, Freeman, Gamble, Gill, Gould, Hartman, Huot, Jackson, Jobin, Langton, John S. Macdonald, Roderick McDonald, Mackenzie, McCann, Matheson, Mattice, Veagher, Merrill, Mongenais, Munro, Niles, Papin, Patrick,

Pouliot, Prévost, Rankin, Rolph, James Ross, Sanborn, Scatcherd, Shaw, Sidney Smith, James Smith, Somerville, Spence, Terrill, and Wright.--(57.)

So it passed in the Negative.

MR. LARWILL:--It must strike the House, Mr. Speaker, that there are besides the distillers of spirits, and brewers of beer, many other parties engaged in occupations which will be very seriously affected if the sale of liquors be altogether prohibited. Whatever may be said as an offset to the injurious effects which a prohibitory law must have on certain traders and mechanics and on the public revenue in the way of its general good effects upon society, I need say nothing. The interests of the intolerably temperate have been canvassed by those in favor of the bill. Believing that some members of this House, while voting for this bill do so with the express understanding that as compensation was awarded to the slave-holder when slavery was abolished, so will those whose means of living depend upon the sale of alcoholic drinks be compensated, I would draw the particular attention of the House to various parties who must necessarily suffer and must therefore be compensated if this bill pass as well as those who have embarked capital in the manufacture of spirits, malt liquor, or wine. It behoves this Legislature to consider results, to look a little farther than is ordinarily done. The manufacturers of glass--the manufacturers of bottles, tumblers, and decanters must necessarily seriously suffer if the use of alcohol as a beverage be prohibited. The consumption of glass as connected with wine-bibbing was very great indeed, and a very large class of individuals--glass-blowers and glass-melters, glass work proprietors, and glass-ware dealers, to compensate whom I only state in fact in saying will require a large sum of money. There is another class of people who will be very much affected by this bill should it become law. The coopers who make the rum puncheons and the wine barrels of the merchant, and the stupendous vats of the brewery cannot be other than most seriously injured by this threatened Maine Law. It is to be borne in mind that flour barrels were not the only articles of the kind made by coopers,--whiskey barrels, on which blacksmith even labored, are made by the cooper as well as flour barrels, and it is the duty of the Legislature to look to the sustenance of those whose means of earning a livelihood are slipping away from them through the instrumentality of enlightened legislation. Then there were the pump makers and those engaged in the plumbing business who also must lose money by the passage of the bill. There will no longer be any use for stomach pumps--all poisons will have been destroyed when John Barley-corn is knocked upon the head and the St. Lawrence is homeopathically diluted with high wines. To provide for all who must suffer will be no very easy matter; but perhaps it is intended that the bill shall be a nullity and it is therefore needless to anticipate the consequences that would else result. Only look at the stocks of liquor indisposable; the herds of unfattened hogs no longer swilling burnt ale, and the number of cattle destitute of grains when hay is scarce. See what interests are to be crushed in an instant, and how many occupations are about to be gone. And what is to be gained. The hon. member for Sherbrooke anticipates that he will be daguerreotyped. The height of ambition in the great author of the Canadian Maine Law is to have a picture of himself in the Ladies Magazine or some other such illustrated publication. He would obtain no other credit. In the eyes of sensible people and in every light the bill was absurd and ridiculous--full of everything but good. It was the essence of evil--the master-devil which was to produce more immorality and debauchery than could be well contemplated.⁷² ((He)) then, amidst the laughter of the House, moved an amendment that the Bill be recommitted with the view of inserting a clause to provide indemnity not only for distillers, brewers and liquor dealers, but for copper smiths, coopers,

plumbers, and glass manufacturers and a whole host of other classes more or less remotely interested in the liquor traffic.⁷³

MR. BUREAU enquired whether the motion was in order--money questions requiring to be originated by resolutions in Committee of the Whole.⁷⁴

MR. SICOTTE the SPEAKER said the motion was in order but the objection refer((r))ed to could be raised at a future stage, if the Bill went again into Committee and came back amended in the way proposed.⁷⁵

MR. LANGTON said he must vote against the motion of the member for Kent, although he had himself a notice on the paper of a somewhat similar character for a⁷⁶ Committee of the Whole to take into consideration certain resolutions whereon to found an Address to His Excellency the Governor General respecting compensation to distillers and brewers for the deterioration of their property in consequence of the proposed restriction on the manufacture and sale of intoxicating liquors.⁷⁷ He thought it necessary, if they passed a Bill of this sort that private individuals suffering by it should be compensated. At the same time he would not go the length of compensating copper-smiths and glass manufacturers, and he desired it should be discussed as an independent question apart from the Bill. His motion he repeated, would come on on Saturday.⁷⁸

MR. GAMBLE said he had supported the Bill both in the last and present Parliaments, but he could not vote for its final passing unless full compensation was made to the parties to be affected by it.⁷⁹

MR. A. DORION (de Montréal) dit que les intérêts affectés par cette mesure sont nombreux et importants, et ce côté de la question mérite la plus grave considération. Cette mesure affecte directement et indirectement les revenus de la province, parce qu'elle en tarit une source importante qu'il faudra remplacer par une autre pour faire face aux engagements pris envers le fonds de rédemption des droits seigneuriaux, et aussi parce que la motion soumise par l'hon. membre pour Kent soulève une des questions les plus difficiles à régler, celle de l'indemnité en faveur des distillateurs, brasseurs et autres qui pourront souffrir des pertes par l'adoption de ce bill, en autant que leurs usines et leurs propriétés seront considérablement détérioré((e))s en valeur.

Cependant le gouvernement au lieu d'en faire une question ministérielle, l'a laissé proposer par un membre qui ne fait pas partie de l'administration.⁸⁰ The Government left it an open question. This was the second instance that had been before the House to day, of questions of very great importance in which the Government would assume no responsibility. He thought the admirers of Responsible Government must by this time have lost somewhat of their confidence in that system. As long as they had Responsible Government, it ought to be carried out according to its true principle, so that no one measure of vital importance to the country should be passed without the Government of the day being held responsible for it. If they were to indemnify all the parties mentioned in the motion of the hon. member for Kent, the amount would come to half a million or a million of pounds, and yet the Government had never given a hint whether they would concur in a measure for indemnifying those parties. (Hear, hear.) But perhaps they did not trouble themselves in the matter, intending to use their influence to kill the measure in the Legislative Council (Hear, hear.) He would not regret, if this should be the fate of the Bill, as a general measure, for he believed the great majority in Lower Canada were

opposed to the law. (No! No! Yes! Yes!) If Upper Canada was willing to receive the Bill Lower Canada, was not, and he should at all events use his influence to prevent its being imposed on the Lower Canadians.⁸¹

DR. CLARKE said he had hitherto given the Bill a consistent opposition, but after the votes which had been given shewing that there was a clear majority of the House in its favour, he did not think it necessary to oppose it any further, but would vote for it now in all its future stages. The measure was one of the greatest importance and of which the Government should have assumed the responsibility, and not left it in the hands of a private member.⁸² Ce bill enfreint les privilèges individuels plus qu'aucun autre bill. Si ce bill est réellement demandé par le pays, le gouvernement devrait en prendre la responsabilité; mais s'il n'est pas demandé, il devrait aussi prendre sur lui de le faire rejeter.⁸³

MR. RANKIN said that when the first discussion took place on this Bill in the early part of the session, he took an opportunity of declaring that he had never been a warm advocate of the cold water system, and he was not now by any means favourable to any such measure. Being satisfied, however, that it was desired by a very large proportion of the inhabitants of Upper Canada, he had come to the conclusion that he would no longer oppose the Prohibitory Law, provided compensation was made to the classes, whose occupations it interfered with. Unless this were done it would be monstrously unjust. But in resolving to support a prohibitory Law, he had no idea that the provisions were such as were contained in this Bill. He was quite surprised to find, when he came to read it a few days ago, that it did not abolish the use of liquors under any pretence whatever. Much as he enjoyed, moderately, he could not be persuaded that it was at all necessary to the health of any human being. He believed on the contrary that men would have enjoyed perhaps longer lives, and quite as much happiness, if such a thing as intoxicating liquor had never been known or heard of. He considered it trash to say it was necessary for medicinal purposes. He had no desire, however, to obstruct the measure, and would vote for it, if a clause were introduced providing just compensation for those who would suffer by its enactments.⁸⁴

La motion ((de M. Larwill)) ... est retiré((e))⁸⁵.

MR. O'FARRELL.--after laying down the principle that the Government of the country should be carried on by a majority from each section of the Province,⁸⁶ moved, in amendment, that the operations of the Bill be restricted to Upper Canada. A majority of Lower Canadian members were opposed to the bill, and it was but right that they should be exempted from the operations of an odious enactment, to which they were bitterly opposed.⁸⁷

MR. CHAUVEAU took the same view. He thought a great advantage would be derived from the adoption of the amendment; opportunity would be afforded to observe the working of the law in that section of the Province. If the prognostications of its friends were fulfilled, it might then become a question for Lower Canada to discuss, whether it should not be adopted here also.⁸⁸

(931)

And the Question being again proposed, That the said amendments be now read a second time;

Mr. O'Farrell moved in amendment to the Question, seconded by Mr. Casault, That all the words after "That" to the end of the Question be left out, in order to add instead thereof the words "the Bill be recommitted to a Committee of the whole

(932)

House, with the view of limiting its application to Upper Canada;"

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Alley, Cameron, Cartier, Casault, Cauchon, Chauveau, Clarke, Jean B. Daoust, Antoine A. Dorion, Dostaler, Dufresne, Fergusson, Thomas Fortier, Octave C. Fortier, Lalonde, Laporte, Leroux, Marchildon, Masson, O'Farrell, Rhodes, Solicitor General Ross, Thibaudeau, Turcotte, and Whitney.--(25.)

NAYS.

Messieurs Aikins, Bell, Biggar, Blanchet, Bourassa, Brodeur, Brown, Bureau, Chapais, Chismin, Christie, Church, Cook, Daly, Charles Daoust, Darche, DeLong, Desaulniers, DeLitt, Dionne, Jean B.E. Dorion, Felton, Foley, Frazer, Freeman, Galt, Gamble, Gould, Guvremont, Hartman, Huot, Jackson, Jobin, Langton, Lumsden, John S. MacDonald, Roderick McDonald, Mackenzie, Sir A.M. MacNab, McCann, Matheson, Mattice, Mauger, Merritt, Morgenais, Munro, Niles, Papin, Patrick, Poulin, Pouliot, Prévost, Ramkin, Robinson, Rolph, James Ross, Sanborn, Scatcherd, Shaw, Sidney Smith, James Smith, Somerville, Spence, Stevenson, Terrill, and Yeilding.--(66.)

So it passed in the Negative.

DR. MASSON moved an amendment to re-commit the Bill with the view of striking out a portion of the last clause⁸⁹.

MR. SICOTTE the SPEAKER refused to receive it on the ground that it would have the same effect as the amendment just negatived.⁹⁰

DR. MASSON moved in amendment to Mr. Felton's motion, That the Bill be recommitted, with instructions to leave out all the words after "effect" in the 14th clause, and insert the following instead thereof: "From the time that it shall please His Excellency the Governor General with the advice of the Executive Council of this Province, to issue a Proclamation to that effect."⁹¹

MR. LARWILL supported the amendment. If the Bill did not go into effect, till the Government advised his Excellency to issue his proclamation, he was satisfied the country would be for ever free from it.⁹²

(932)

And the Question being again proposed, That the said amendments be now read a second time;

Mr. Masson moved in amendment to the Question, seconded by Mr. Dufresne, That all the words after "That" to the end of the Question be left out, in order to add the words "the Bill be re-committed to a Committee of the whole House, with instructions to leave out all the words after 'effect' in the 14th Clause, and insert instead thereof the words 'from the time that it shall please His Excellency the Governor General, with the advice of the Executive Council of this Province, to issue a Proclamation to that effect;' "

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Alleyn, Blanchet, Cameron, Cartier, Casault, Cauchon, Chauveau, Dostaler, Dufresne, Foley, Thomas Fortier, Octave C. Fortier, Huot, Labelle, Laberge, Laporte, Lemieux, Loranger, Marchildon, Masson, O'Farrell, Rhodes, Solicitor General Ross, Thibaudeau, Turcotte, and Whitney.--(26.)

(932-933)

NAYS.

Messieurs Aikins, Biggar, Bourassa, Brodeur, Brown, Bureau, Chapais, Chisholm, Christie, Church, Cook, Daly, Charles Daoust, Jean B. Daoust, Darche, DeLong, Desaulniers, DeWitt, Dionne, Attorney General Drummond, Antoine A. Dorion, Felton, Frazer, Freeman, Gamble, Gill, Gould, Guévremont, Hartman, Jackson, Jobin, Langton, John S. Macdonald, Roderick McDonald, Mackenzie, Sir A.N. MacNab, McCann, Matheson, Mattice, Meagher, Mongenais, Niles, Papin, Patrick, Poulin, Pouliot, Prévost, Rankin, Rolph, James Ross, Sanborn, Scatcherd, Shaw, Somerville, Spence, Stevenson, Terrill, Wright, and Yeilding.--(59.)

So it passed in the Negative.

MR. T. FORTIER moved in amendment to Mr. Felton's motion, That the Bill be recommitted, to amend the Preamble, by adding after the word "demoralization" in the 3rd line, the words "in Towns and Cities".

The hon. member was of opinion that liquor could be used with impunity, and without producing any demoralizing results, in country districts.⁹³

(933)

And the Question being again proposed, That the said amendments be now read a second time;

Mr. Thomas Fortier moved in amendment to the Question, seconded by Mr. Masson, That all the words after "That" to the end of the Question be left out, in order to add instead thereof the words "the Bill be recommitted to a Committee of the whole House, to amend the Preamble, by adding after the words 'demoralization' in line 3, the words 'Towns and Cities;' "

And the Question being put on the Amendment; the House divided:--And it passed in the Negative.

DR. MASSON, at a quarter from eleven o'clock, moved that the Debate be now adjourned.⁹⁴

MR. FOLEY said the significant Hear, hear, which his votes on the present Bill had called forth, suggested to him the propriety of offering a few explanatory remarks. He was free to admit that if the votes he gave on this question were compared with the private opinions on it which he had frequently expressed, there might appear to be a discrepancy between them. He had voted, however, in accordance with the well understood wishes of his constituents, as he thought every representative of the people should do on such questions as did not raise an issue between great political parties. In taking this course, he was acting quite as consistently as the hon. gentleman who introduced the Bill and many of his friends, who not long ago were opposed to the principle they now advocated, and were only induced to support it out of deference to the feeling of their constituents. He would not have the House to infer, however, that those whom he represented were by any means

disposed to justify or promote Intemperance. Quite the contrary. There was not in the Province a more sober, industrious or temperate people, than those who were his constituents, but they believed there was no necessity for this measure, and that it was an unjust infringing((e))ment on their private rights. He felt he would not fairly represent their principles in this House, if on this question he gave a vote contrary to what he knew to be their deliberate judgement, and it was for that reason that he felt constrained to vote against the Bill.⁹⁵

DR. MASSON then withdrew his motion for adjourning the debate.⁹⁶

MR. RANKIN moved an amendment to the effect that the consideration of the question of concurrence be deferred until Thursday next, and that a Select Committee be appointed to prepare and report an Address to his Excellency on the subject of indemnification to be made to the parties affected by the measure.⁹⁷

After some discussion, in which MESSRS. LANGTON, FELTON, GAMBLE, and HOLTON took part, the amendment was withdrawn, the general feeling appearing to be that the third reading of the Bill should not be taken till Monday, and that previous to that, the question of indemnity should be discussed on Mr. Langton's motion on Saturday.⁹⁸

The question being again put on Mr. Felton's motion,⁹⁹

MR. CAMERON ((showed)) ... the impracticable nature of some of the proposed enactments and their mischievous effects upon the revenue and the purposes to which the special revenue derived from licenses &c. was devoted.¹⁰⁰ ((He)) said that, if the friends of the Bill themselves would look into it, they must be satisfied that in its present state the Report of the Committee ought not be received. He would point out some particulars in which the supporters of the Bill themselves must see that it ought to be amended. In four different clauses it was provided that licensed agents should obtain the liquor they sold from licensed manufacturers, and licensed importers, and yet there was not a single provision in the Bill for licensing manufacturers or importers. Provision was also made that fines might be imposed, and imprisonment inflicted on by the Division Courts in Upper Canada, which had no criminal jurisdiction. The 10th clause again provided that a man taken up intoxicated might be brought before a Justice of the Peace, that it should be the duty of the Justice to examine him on his oath or affirmation whether any offence had been committed against the Act, and on his refusing to be sworn or affirm he might be thrown into goal (sic) and rot there, until he gave answers which by a previous clause might subject him to six months' imprisonment, on the information obtained from him on his own oath. This was the first Bill ever introduced into this House, to compel a man to criminate himself on his own oath. The second clause contained the absurd provision that any person, not being a duly licensed agent, who should furnish liquor under any pretence whatever to any other person not being a duly licensed agent, should be subject to the penalties imposed by the Act. Surely the hon. gentleman who had charge of the Bill, could not intend that it should pass in that shape.¹⁰¹

MR. FELTON said the objections of the hon. gentleman were not made to be answered. The only object of making them was to draw the House into a long debate, and obstruct the progress of the measure. Its friends ought to be satisfied that the Committee who had taken charge of it, had guarded against its being liable to such objections as had just been urged.¹⁰²

MR. MACKENZIE was not surprised at the objections of the learned member for Toronto, to getting information from a man found drunk, as to who furnished him with liquor. Lawyers were always disposed to beat about the bush, and would seek information from any parties rather than those who were best able to furnish it. The Bill was a good Bill, and he intended to vote for it.¹⁰³

MR. HINCKS did not think it a satisfactory mode of proceeding, when grave objections were urged by a gentleman of the high legal standing of the member for Toronto, for the gentleman in charge of the Bill to say he would not discuss them. At this hour of the night (half past eleven) he thought it high time to adjourn the discussion, and allow the member for Wolfe time to consider these serious objections, and to be prepared with an answer to them. There was another point of some importance, which the hon. gentleman might think over, as he presumed it had not yet engaged his attention. Perhaps the hon. gentleman would disdain to answer this objection also, but he would take the liberty of suggesting to him. He did not say it was an objection to the Bill, still it was a question which deserved serious consideration. During the present session of Parliament, certain revenues raised from Tavern Licenses in Lower Canada had been pledged for the settlement of the Seigneurial Tenure rights.¹⁰⁴

MR. HOLTON.--That is a question for the Government to consider. (Hear, hear.)¹⁰⁵

MR. HINCKS said it was for this House, which had passed the Bill, to consider it, and this Bill should not pass the House, until they were prepared to find ways and means of filling up the deficiency caused by destroying the Tavern License Fund. It would come to this that Lower Canada would have to provide in some other way for meeting those charges. He wanted hon. gentlemen from Lower Canada fully to understand that. (Oh! oh!) They might rest satisfied that the gentlemen promoting this Bill, the hon. member for Lambton and the hon. member for North York would be the very last persons to consent that Upper Canada should be taxed to supply the deficiency. Lower Canada must provide another fund in some way or other.¹⁰⁶

MR. BUREAU.--Take it out of the Grand Trunk. (Laughter.)¹⁰⁷

MR. HINCKS did not notice the suggestion, but proceeded to say that this was a very grave question for consideration, and he hoped the member for Wolfe, would allow the debate to be adjourned, that he might consider the matter, and also the objections urged by the member for Toronto.¹⁰⁸

MR. HARTMAN, in reply to the member for Toronto, (Mr. Cameron) said the hon. gentleman had carefully concealed that the jurisdiction given to the division Courts could also be exercised by a Justice of the Peace, so that even if there were legal force in his objection, no practical difficulty would arise. He could not think the hon. gentleman serious when he said a man found drunk could be sentenced to six months' imprisonment on his own oath or affirmation.¹⁰⁹

MR. CAMERON.--Suppose he had got drunk while selling liquor himself (Oh! oh! and laughter.)¹¹⁰

MR. CHAUVEAU said that he and his friends congratulated the member for Renfrew (Mr. Hincks) on having brought so strong an argument to their assistance at this late hour, after being absent during the previous part of the debate. He supposed

the hon. gentleman had been practising Anti-Maine-Liquor-Law principles while away. (Laughter.)¹¹¹

MR. J. MORRISON (Niagara), begged to ask the Postmaster General, the only Upper Canada member of the Government present, whether the Government would be prepared to charge the Consolidated Revenue of the Province, with the deficiency in the Seigniorial Indemnity that would arise from the destruction of Tavern Licenses. (Hear, hear.)¹¹²

MR. POST. GEN. SPENCE.--That is a subject for future consideration (Laughter.) But I have no hesitation in saying that if the house pass this Bill there is no doubt the Government will be prepared to do their duty. It is a matter for which the friends of the measure are not at all responsible.¹¹³

MR. J. MORRISON (Niagara).--I must say that that is not the sort of answer which the Government or any member of the Government should give to such a question. (Hear, hear.) They ought to be prepared to state what course they are going to take, whether they are to levy a poll tax on the people of Lower Canada, or to throw the deficiency on the Consolidated Revenue, making the people of Upper Canada bear one half or three fourths of the burden. (Hear, hear.) If that is the course they are to take, they will have to answer for it to their constituents, when the next election comes round. (Hear, hear.)¹¹⁴ ((He)) also pointed out that the revenues from licenses &c, were pledged to the redemption of the Montreal Court House Debentures.... The Government were bound to take the matter in hand in order to protect the revenue, and unless they did take a stand upon it, he should be prepared to go for a vote of want of confidence in them.¹¹⁵

MR. HINCKS said the Postmaster General must see that it was unfair to ask this House to Legislate in the dark on a question of this importance. They ought to know distinctly what they were doing. He hoped the members from Lower Canada would consider what would be the effect of passing this Bill, by making such a serious deficiency in the fund provided as the Seigniorial Indemnity. This was a question with which the Government could not avoid dealing. It was not enough for the Postmaster General to say that after the Bill passed, the Government would deal with the question. For they might bring down a measure to impose a local tax on Lower Canada, and the House might not agree to it. By destroying the Tavern License Fund, they destroyed the means of keeping public faith with the public creditor, and the Government must say whether they would allow this, and, if not, how the deficiency was to be supplied. (Hear, hear.) He had never in his life heard a Government coming forward, and, afraid to meet the true question, saying--Do this first, and we will tell you afterwards how we will meet the results of it. (Hear, hear.) The Government said they would meet the question, but they should tell the House how they were to meet it. (Hear, hear.)¹¹⁶ It was time the Government either assumed the responsibility of supporting or opposing this measure--that the time had arrived ... when it could no longer be regarded as an open question.¹¹⁷

MR. BROWN.--I have the exceeding happiness on this occasion of agreeing not only with the gentlemen on the Treasury benches, but also with the hon. member for Renfrew (Laughter). I perfectly agree with the member for Renfrew, and his hon. friend the member for Niagara that this is a matter which the Government ought to face. It is quite clear that it is a matter which must be faced, and I have not the least hesitation in saying this, that, if the hon. member for Renfrew, seconded by

my hon. friend from Niagara, will move a vote of want of confidence in the administration upon the point, I will vote with them. (Hear, hear, and laughter.) I do think the member for Renfrew has very properly designated the position of hon. gentlemen on the Treasury Benches, when they tell us to go on with this measure, without giving us any information how they are to provide for the deficiency it will occasion. And at the same time I agree to a certain extent with the Postmaster General, that it does not rest with us, the friends of the measure, to show how that deficiency is to be met, but with the Government. But it is nothing new to us to see the administration keeping their seats in the face of a measure being forced upon them which they dislike. It does not at all astonish us to find those gentlemen unable to carry out their own views, and adopting those of their opponents. (Hear, hear.) It does not surprise us to see the course they take on this one question, for they have taken a similar course on almost every public question. Tell me a single measure, in which they have carried out their own convictions, and not those which have been forced upon them? (Hear, hear.) Have they not carried through the Clergy Reserve question opposed to their own convictions? And is it not the same with the Legislative Council Bill? (Hear, hear.)¹¹⁸

MR. COM. CR. LANDS CAUCHON.--I call the hon. gentleman to order. He is not speaking to the question before the chair.¹¹⁹

MR. SICOTTE the SPEAKER said the hon. gentleman, according to the rules of the House, must confine himself to the question.¹²⁰

MR. BROWN.--I think I have a right, Mr. Speaker, to illustrate the conduct of the Government on the Temperance Bill with their conduct on other Bills. But I bow to your decision. I am sorry, however, that I cannot pursue this theme, because really the hon. member for Renfrew spoke so well that it quite delighted me to hear him. I have strong hopes that he will by and by bring the Administration up to the right point so that they shall take the responsibility of every measure which passes--that they will oppose everything wrong, and before they allow any Bill to pass, be prepared to take the full responsibility of it. The question raised by the hon. member for Renfrew is one however with which the friends of this measure have nothing to do, further than this that when that hon. member says that the course the Government are taking in shirking responsibility is quite an unheard of proceeding, we agree with him, and are ready to join him in bringing the Government to a sense of their responsibility. The hon. gentleman cannot charge inconsistency on the parties who are pushing forward this Bill. The inconsistency is with the member for Renfrew who supports the administration. We are pursuing the proper course, we think the Bill a good one and are trying to carry it. And if the Administration are compelled to yield to us, it is no fault of ours that they are not making provision for a deficiency in the funds affected by the Bill. The hon. member for Wolfe (Mr. Felton) has no power to look into these matters. He cannot meddle with the question of taxation--it is the Administration that is responsible for that, and not we. (Hear, hear.)¹²¹

MR. MURNEY regretted that the Treasury Benches were empty to-night, that the Inspector General might have listened to the excellent speeches of his predecessor in office, the hon. member for Renfrew. Such a lesson would have been taught him as he had not received during this session before. But where were the Government this evening? (Hear, hear.) Why, they were nowhere, and yet a most important question was under discussion, affecting the whole financial interests of the country. He was sorry that the "Man of Letters" was the only member of the Government present,

because that hon. gentleman's financial ideas could not come up to the magnitude of the question now before the House. The Inspector General should have been here to tell what would be the financial results of this Bill. (Hear, hear.)¹²²

MR. COM. CR. LANDS CAUCHON in reference to the question raised by the member for Renfrew, said that if this Bill became a law, the Seignioral fund would be materially reduced. But who would suffer? Not the Seignior, but the Censitaire who would have to pay more than he otherwise would.¹²³

Oh! Oh! from the Censitaire interest.¹²⁴

MR. POULIN hoped there would be some other way of getting out of the difficulty, than making the additional burden to be caused by this measure, fall on the Censitaire.¹²⁵

MR. HINCKS said he had now prepared an amendment, in a shape which he hoped would not embarrass the Government. His object was that, before they took the important step of giving their concurrence to the Bill now before the House, they should provide distinctly and plainly that they should not violate the public faith pledged for the Seignioral Indemnity. He was one of those who desired to go plainly and straight forwardly to work, and he therefore moved ... ((the)) amendment¹²⁶.

(933)

And the Question being again proposed, That the said amendments be now read a second time;

The Honorable Mr. Hincks moved in amendment to the Question, seconded by Mr. Joseph Curran Morrison, That all the words after "That" to the end of the Question be left out, in order to add instead thereof the words "the Bill be re-committed to a Committee of the whole House, for the purpose of adding the following Clause: 'This Act shall not take effect until provision shall have been made for raising from the People of Lower Canada, by local taxation, an amount equal to the revenues now derived from licenses to sell spirituous, vinous, or fermented liquors by retail, or from Tavern Licenses in Lower Canada, and which revenues have been specially pledged and appropriated by the Act 18 Vic. cap. 3, in aid of the Censitaires in the several Seigniories of Lower Canada;' "

MR. FELTON expressed his regret that, after six months' absence, the member for Renfrew should have come into the House full of all sorts of financial speculations. He hoped the friends of the measure would vote down the amendment.¹²⁷

MR. J.S. MACDONALD of Glengary said the question had assumed an entirely different character since the debate commenced. On a question of so great importance, affecting so many interests, the Government should have had an opinion.¹²⁸ The whole thing was a dodge to stop the measure, for the member for Renfrew to come in at this late hour and throw this fire-brand into the House, while the Government sat still, not knowing what to do. They were shirking the responsibility which the country would attach to them.¹²⁹

MR. POST. GEN. SPENCE said honorable gentlemen opposed to this bill were beginning to find that there was something serious in the matter. He looked upon the factious opposition which the measure met with as a good sign. It was the last resource of gentlemen who found themselves unable by ordinary and straightforward means to defeat the measure. He conceived that the attacks upon the Government,

for not (sic) making this question an open one, were most gratuitous. The last ministry, of which the honorable member for Renfrew was the leading member, had done the same thing when they permitted one of their own members to introduce a bill similar to that before the House. This was not the time, he contended, to discuss the question of indemnity or license. When the difficulty arose, by the passage of the law, it would be quite time enough to meet it, and he felt that the Government which would then be in power would be quite prepared to meet it. It was said that these licenses were pledged to a specific object, and that was held to be a reason why the present law should not be passed. But supposing that through the influence of moral suasion--which gentlemen held to be quite competent to suppress all the evils of intemperance--the traffic were to become so unprofitable as to be voluntarily abandoned, what then became of the guaranteed Provision would have to be made from other sources. Precisely the same course must be adopted in the present instance, and no ministry could refuse to meet the exigency.¹³⁰

MR. J. MORRISON of Niagara.--That is all we require. Why refuse to admit the amendment as a clause of the Act?¹³¹

MR. POST. GEN. SPENCE understood the tactics of the honorable gentleman. While quite prepared to admit that the Government must deal with the question brought up by the member for Renfrew, he did not feel disposed to incorporate the clause in the act, thus making the whole contingent upon the views of the Government, and compelling them to take a position either for or against the entire Bill. Adopt the contrary course, and the ministry are forced to carry out the Bill, and to provide for any contingency that may arise out of it. He looked with very great suspicion upon amendments of this kind arising from opponents of the measure, and sincerely hoped that every gentleman favorable to the Bill would not leave the House until the vote of concurrence was put. If the opponents of the Bill were reduced to a test of physical endurance he thought the friends ought to be prepared to meet them even on that ground.¹³²

MR. AT. GEN. DRUMMOND took the floor, and spoke for about an hour. He looked upon the Maine Law fever as a moral epidemic, which would ere long pass away, and a wise Government should stand towards it, in the same position as a lofty mountain, unmoved by the passing clouds which whirled around its base, while the sunlight of heaven shone serene upon its head. (Great Laughter.) The Government should stand unmoved amidst this moral epidemic which would soon be among the things that were. (Oh! Oh!) But the member for Renfrew had raised an important question, which it behoved the Lower Canadian friends of the measure well to consider. He asked them what substitute could be provided for those tavern licenses to meet the Seignorial Indemnity? He asked the member for Kamouraska, and the member for Rouville (Messrs. Chapais and Poulin) to tell him.¹³³

MR. BROWN.--Ask the Inspector General. (Hear, hear.)¹³⁴

MR. AT. GEN. DRUMMOND.--The Inspector General could not anticipate the wild fancies of this House urged on by the puritanical zeal of the member for Lambton. (Oh! Oh!) This was the commencement of a movement on the part of the puritanical party to enforce a conformity to their own views by every one else. On this question he spoke not as a Catholic, but as a Protestant would speak, or as a Presbyterian would speak.¹³⁵

MR. MACKENZIE.--Order! What has Catholicism or Presbyterianism to do with this question.¹³⁶

MR. AT. GEN. DRUMMOND.--The hon. member for Haldimand could not conceive the importance of this question. His views were altogether too narrow to allow him to comprehend it. (Laughter.) But the whole principles on which the legislation of this country was in future to be carried on were involved in the decision to which the House would come on the present occasion. If they were to resolve this night that by legislation they were to impose upon the people of this country the peculiar views on morals or religion, of either a minority or a majority, then he said this was one of the most important occasions on which they had ever met to deliberate. If by legislation, they could prevent a man from drinking a glass of wine, they could prevent him from purchasing or selling those books before which he bowed as authorities in his religion.¹³⁷

MR. SICOTTE the SPEAKER.--Order! Let the hon. gentleman confine himself to the amendment of the hon. member for Renfrew, and discuss the Maine question, when the main question is put. (Laughter.)¹³⁸

MR. AT. GEN. DRUMMOND would put it then to the House and to the country whether they were going to sacrifice this great Reform of the Seigniorial Tenure for a mere dream, which was moreover founded on a false, an erroneous, and a dangerous principle,--in the pursuit of an object which was opposed to the sane legislation adopted in every country in the world. He would ask the members from Upper Canada as well as the members from Lower Canada whether they were prepared to provide another fund, or some other way of meeting the Seigniorial Fund. They need not calculate on receiving any assistance towards this object from the member for Lambton and those other gentlemen who supported the Bill. For if they could sacrifice the interests of the men who had pledged their fortunes in works the profits of which would be destroyed by this Bill, and would leave them without the means of supporting themselves or their families, they would be quite prepared to sacrifice the Seigniorial Fund. He expected nothing good from a measure copied not from British Legislation, but from the Legislation of the United States of America. He expected nothing good from a measure which was copied from the Legislation of the State of New York, where private property and individual rights had been interfered with to an extent that was alarming. (Oh! oh!) It would only be carrying out the same principle if those who supported this measure, were to prohibit the use of Catholic doctrines and Catholic books, believing them conscientiously to contain the same subtle poison to the moral nature, as was to be found in spirituous liquors when acting on the material nature of man. (Oh! oh!)¹³⁹

MR. RANKIN moved that the House do now adjourn.¹⁴⁰

MR. BROWN.--We have been engaged on this question since four o'clock, nearly ten hours. If we break up now, it must be with the full expectation of having another twelve hours' of discussion, and I trust, therefore, that the friends of the measure will stand firm, and either lose their bill or carry it to-night. (Hear, hear.) I trust every one of them will vote against the motion for adjournment. We must sit it out to-night, or the bill will be lost.¹⁴¹

(933)

Mr. Rankin moved, seconded by Mr. Masson, and the Question being put, That this House do now adjourn; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Cameron, Cartier, Casault, Cauchon, Cayley, Chauveau, Charles Daoust, Jean B. Daoust, Desaulniers, Dostaler, Attorney General Drummond, Dufresne, Ferrie, Foley, Octave C. Fortier, Galt, Guévremont, Hincks, Labelle, Larwill, Lemieux, Loranger, McCann, Marchildon, Masson, Mongenais, Joseph C. Morrison, O'Farrell, Rankin, Solicitor General Ross, Shaw, Thibaudeau, Turcotte, and Whitney.--(34.)

(933-934)

NAYS.

Messieurs Aikins, Biggar, Bourassa, Brown, Bureau, Chapais, Chisholm, Christie, Church, Cook, Daly, Darche, Delong, DeWitt, Jean B.E. Dorion, Antoine A. Dorion, Felton, Frazer, Freeman, Gould, Hartman, Jackson, Jobin, John S. Macdonald, Mackenzie, Matheson, Munro, Niles, Papin, Patrick, Poulin, Pouliot, Rolph, James Ross, Sanborn, Scatcherd, Spence, and Wright.--(38.)

So it passed in the Negative.

The motion being again put on Mr. Hincks' amendment,¹⁴²

MR. INSP. GEN. CAYLEY, as regarded the public revenue, did not think it a matter of very great importance, whether they passed this bill or not, as in the present state of the revenue, they might hope to be able to dispense with 75,000L or 100,000L of duties on liquors, if the country consented to impose that amount on other articles of luxury. As to the deficiency in the Seigniorial Fund, that would be caused by taking away the tavern licenses, the Government could express no opinion as to the course they would pursue to supply that deficiency, until the bill passed. Whether the deficiency must be submitted to, or another fund provided, was a point that must be left open, till the bill became law.¹⁴³

MR. HINCKS, to make his amendment more generally acceptable, proposed to strike out of it the words "of Lower Canada by local taxation." (No! No!)¹⁴⁴

MR. CAMERON did not consider it courteous to prevent the honourable member from altering his resolution. He, therefore, himself, moved that Mr. Hincks' motion of amendment be amended by leaving out the words, "of Lower Canada by local taxation."¹⁴⁵

(934)

And the Question being again proposed, That all the words after "That" to the end of the Original Question be left out, in order to add instead thereof the words "the Bill be recommitted to a Committee of the whole House, for the purpose of adding the following Clause: 'This Act shall not take effect until provision shall have been made for raising from the People of Lower Canada, by local taxation, an amount equal to the revenues now derived from licenses to sell spirituous, vinous, or fermented liquors by retail, or from Tavern Licenses in Lower Canada, and which revenues have been specially pledged and appropriated by the Act 18 Vic. cap. 3, in aid of the Censitaires in the several Seigniories in Lower Canada;'"

*The Honorable Mr. Cameron moved in amendment to the said proposed Amendment, seconded by Mr. Rankin, That the words "of Lower Canada, by local taxation" be left out;*¹⁴⁶

And a Debate arising thereupon;

The Honorable Mr. Cauchon moved, seconded by Mr. O'Farrell, and the Question being put, That the Debate be adjourned until Monday next; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Cameron, Cartier, Casault, Cauchon, Cayley, Chauveau, Charles Daoust, Jean B. Daoust, Desaulniers, Dostaler, Attorney General Drummond, Dufresne, Ferrie, Foley, Octave C. Fortier, Gill, Guévremont, Hincks, Labelle, Lemieux, Loranger, McCann, Marchildon, Masson, Mongenais, Joseph C. Morrison, O'Farrell, Powell, Rankin, Solicitor General Ross, Thibaudeau, Turcotte, and Whitney.--(33.)

NAYS.

Messieurs Aikins, Bell, Biggar, Bourassa, Brown, Bureau, Chapais, Chisholm, Christie, Church, Cook, Darche, DeLong, DeWitt, Jean B.E. Dorion, Antoine A. Dorion, Felton, Fraser, Freeman, Gould, Hartman, Jackson, Jobin, Larwill, John S. Macdonald, Mackenzie, Matheson, Munro, Niles, Papin, Patrick, Pouliot, Rolph, James Ross, Sanborn, Scatcherd, Spence, and Wright.--(38.)

So it passed in the Negative.

And the Question being put, That the words "of Lower Canada, by local taxation" be left out of the proposed Amendment to the Original Question; the House divided: and the names being called for, they were taken down, as follow:--

(935)

YEAS.

Messieurs Cameron, Cartier, Casault, Cayley, Chapais, Chauveau, Charles Daoust, Jean B. Daoust, Darche, Jean B.E. Dorion, Dostaler, Attorney General Drummond, Dufresne, Octave C. Fortier, Guévremont, Hincks, Labelle, Larwill, Lemieux, Loranger, Marchildon, Masson, Mongenais, Joseph C. Morrison, O'Farrell, Papin, Powell, Rankin, Solicitor General Ross, Thibaudeau, Turcotte, and Whitney.--(32.)

NAYS.

Messieurs Aikins, Bell, Biggar, Bourassa, Brown, Chisholm, Christie, Church, Cook, Daly, DeLong, DeWitt, Felton, Fraser, Freeman, Gould, Hartman, Jackson, Jobin, John S. Macdonald, Mackenzie, McCann, Matheson, Munro, Niles, Patrick, Pouliot, Rolph, James Ross, Sanborn, Scatcherd, Spence, and Wright.--(33.)

So it passed in the Negative.

And the Question being again proposed, That all the words after "That" to the end of the Original Question be left out, in order to add instead thereof the words "the Bill be re-committed to a Committee of the whole House, for the purpose of adding the following Clause: 'This Act shall not take effect until provision shall have been made for raising from the People of Lower Canada, by local taxation, an amount equal to the revenues now derived from licenses to sell spirituous, vinous, or fermented liquors by retail, or from Tavern Licenses in Lower Canada, and which revenues have been specially pledged and appropriated by the Act 18 Vic cap. 3, in aid of the Censitaires in the several Seigniories in Lower Canada;' "

And a further Debate arising thereupon;

Mr. O'Farrell moved, seconded by Mr. Dufresne, and the Question being put, That the Debate be adjourned; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Cameron, Cartier, Casault, Cayley, Jean B. Daoust, Desaulniers, Attorney General Drummond, Dufresne, Octave C. Fortier, Guévremont, Hincks, Labelle, Larwill, Lemieux, Loranger, McCann, Marchildon, Masson, Mongenais, Joseph C. Morrison, Murney, O'Farrell, Powell, Rankin, Solicitor General Ross, Thibaudeau, and Whitney.--(27.)

(935-936)

NAYS.

Messieurs Aikins, Bell, Biggar, Bourassa, Brown, Chisholm, Christie, Church, Cook, Daly, Charles Daoust, Darche, Delong, DeWitt, Jean B.E. Dorion, Antoine A. Dorion, Dostaler, Felton, Frazer, Freeman, Gould, Hartman, Jackson, Jobin, John S. Macdonald, Mackenzie, Matheson, Munro, Niles, Papin, Patrick, Pouliot, Rolph, James Ross, Sanborn, Scatcherd, Spence, and Wright.--(38.)

So it passed in the Negative.

(936)

And the Question being put, That all the words after "That" to the end of the Original Question be left out, in order to add instead thereof the words "the Bill be re-committed to a Committee of the whole House, for the purpose of adding the following Clause: 'This Act shall not take effect until provision shall have been made for raising from the People of Lower Canada, by local taxation, an amount equal to the revenues now derived from licenses to sell spirituous, vinous, or fermented liquors by retail, or from Tavern Licenses in Lower Canada, and which revenues have been specially pledged and appropriated by the Act 18 Vic. cap. 3, in aid of the Censitaires in the several Seigniories of Lower Canada;' " the House divided:--And it passed in the Negative.

And the Question being again proposed, That the said amendments be now read a second time;

And a Debate arising thereupon;

Mr. Papin moved, seconded by Mr. Murney, and the Question being put, That the Debate be adjourned; the House divided: and the names being called for, they were taken down, as follow:--¹⁴⁷

YEAS.

Messieurs Cartier, Casault, Cayley, Charles Daoust, Jean B. Daoust, Desaulniers, Dostaler, Attorney General Drummond, Dufresne, Thomas Fortier, Octave C. Fortier, Guévremont, Hincks, Labelle, Larwill, Lemieux, Loranger, Macbeth, McCann, Marchildon, Masson, Mongenais, Joseph C. Morrison, Murney, O'Farrell, Papin, Powell, Rankin, Solicitor General Ross, Thibaudeau, and Whitney.--(31.)

NAYS.

Messieurs Aikins, Bell, Bourassa, Brown, Chisholm, Christie, Church, Cook, Darche, Delong, DeWitt, Jean B.E. Dorion, Felton, Frazer, Freeman, Gould, Hartman, Holton, Jackson, Jobin, John S. Macdonald, Roderick McDonald, Mackenzie, Matheson, Munro, Niles, Patrick, Pouliot, Prévost, Rolph, James Ross, Sanborn, Scatcherd, Spence, and Wright.--(35.)

So it passed in the Negative.

And the Question being again proposed, That the said amendments be now read a second time;

Mr. Loranger moved in amendment to the Question, seconded by Mr. Masson, That all the words after "That" to the end of the Question be left out, in order to add instead thereof the words "the Bill be recommitted to a Committee of the whole House, for the purpose of adding the following Clause thereunto: 'This Act shall not take effect until the funds appropriated by the Seigniorial Act of 1854, arising from the Tavern and Shop Licenses, shall be replaced by other funds to the same amount, towards the indemnity provided for by the said Seigniorial Act;' "

Mr. Masson moved, seconded by Mr. Guévremont, and the Question being put, That this House do now adjourn; the House divided: and the names being called for, they were taken down, as follow:--

(937)

YEAS.

Messieurs Blanchet, Brodeur, Cartier, Casault, Cayley, Chabot, Jean B. Daoust, Desaulniers, Dostaler, Attorney General Drummond, Dufresne, Thomas Fortier, Octave C. Fortier, Fournier, Gamble, Gill, Guérremont, Hicks, Huot, Labelle, Laporte, Larwill, Lemieux, Loranger, Macbeth, Attorney General Macdonald, McCann, Marchildon, Masson, Joseph C. Morrison, O'Farrell, Rankin, Robinson, Solicitor General Ross, Thibaudeau, and Whitney.--(36.)

NAYS.

Messieurs Aikins, Bell, Biggar, Bourassa, Brown, Chisholm, Christie, Church, Cook, Charles Daoust, Darche, DeLong, DeWitt, Dionne, Jean B.E. Dorion, Felton, Fraser, Freeman, Gould, Hartman, Holton, Jackson, Jobin, John S. Macdonald, Roderick McDonald, Mackenzie, Matheson, Merritt, Munro, Niles, Papin, Patrick, Poulin, Pouliot, Prévost, Rolph, James Ross, Sanborn, Scatcherd, Spence, and Wright.--(41.)

So it passed in the Negative.

And the Question being put, That all the words after "That" to the end of the Original Question be left out, in order to add instead thereof the words "the Bill be recommitted to a Committee of the whole House, for the purpose of adding the following Clause thereunto: 'This Act shall not take effect until the funds appropriated by the Seigniorial Act of 1854, arising from the Tavern and Shop Licenses, shall be replaced by other funds to the same amount, towards the indemnity provided for by the said Seigniorial Act;'" the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Blanchet, Brodeur, Cartier, Casault, Cayley, Chabot, Jean B. Daoust, Desaulniers, Dionne, Dostaler, Attorney General Drummond, Dufresne, Thomas Fortier, Octave C. Fortier, Fournier, Gamble, Guévremont, Hicks, Labelle, Laporte, Larwill, Lemieux, Loranger, Macbeth, Attorney General Macdonald, Marchildon, Masson, Joseph C. Morrison, O'Farrell, Rankin, Robinson, Solicitor General Ross, Thibaudeau, and Whitney.--(34.)

(937-938)

NAYS.

Messieurs Aikins, Bell, Biggar, Bourassa, Brown, Chisholm, Christie, Church, Cook, Charles Daoust, Darche, DeLong, DeWitt, Jean B.E. Dorion, Felton, Fraser, Freeman, Gill, Gould, Hartman, Holton, Huot, Jackson, Jobin, John S. Macdonald, Roderick McDonald, Mackenzie, McCann, Matheson, Merritt, Munro, Niles, Papin, Patrick, Poulin, Prévost, Rolph, James Ross, Sanborn, Scatcherd, Spence, and Wright.--(42.)

So it passed in the Negative.

(938)

And the Question being again proposed, That the said amendments be now read a second time;

Mr. Larwill moved in amendment to the Question, seconded by Mr. Masson, That all the words after "That" to the end of the Question be left out, in order to add the words "the Bill be recommitted for the purpose of leaving out from the word 'Whereas' in the first line, to the word 'it' in the third line, of the Preamble" instead thereof;

And the Question being put on the Amendment; the House divided:--And it passed in the Negative.

Then the main Question being put, That the said amendments be now read a second time; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Atkins, Bell, Biggar, Bourassa, Brodeur, Brown, Chisholm, Christie, Church, Cook, Daly, Darche, DeLong, Desaulniers, DeWitt, Dionne, Jean B.F. Dorian, Dufresne, Felton, Frazer, Freeman, Gamble, Gill, Gould, Guévremont, Hartman, Holton, Huot, Jackson, Jobin, John S. Macdonald, Roderick McDonald, Mackenzie, McCann, Matheson, Meagher, Merritt, Mongenais, Munro, Niles, Patrick, Poulin, Pouliot, Prévost, Rolph, James Ross, Sanborn, Scatcherd, Spence, Terrill, and Wright.--(51.)

NAYS.

Messieurs Blanchet, Cartier, Casault, Cayley, Chabot, Charles Daoust, Jean B. Daoust, Dostaler, Thomas Fortier, Octave C. Fortier, Fournier, Hincks, Labelle, Laporte, Larwill, Lemieux, Loranger, Macbeth, Attorney General Macdonald, Marchildon, Masson, Joseph C. Morrison, O'Farrell, Papin, Rankin, Robinson, Solicitor General Ross, Thibaudeau, and Whitney.--(29.)

So it was resolved in the Affirmative.¹⁴⁸

And the said amendments, being read a second time, were agreed to.

Ordered, That the Bill be read the third time on Monday next.

Then, on motion of Mr. Whitney, seconded by Mr. O'Farrell,
The House adjourned.

APPENDIX: 26 APRIL 1855.

((NOTICE OF MOTION RE: MEMBERS' INDEMNITY.))

MR. DUFRESNE ((gave notice that)) on Monday next ((he would move)) that, commencing from the 5th of May next, the allowance to members of this House shall be only ten shillings per day for the remainder of the present session.¹⁴⁹

((NOTICE OF MOTION RE: MEETINGS OF THE HOUSE OF ASSEMBLY.))

MR. WHITNEY ((gave notice that)) on Saturday next ((he would move)) that the House do meet during the remainder of the Session on Mondays and Thursdays at eleven o'clock in the forenoon.¹⁵⁰

((NOTICE OF MOTION FOR AN ADDRESS RE: DAMAGES CAUSED BY LAKE ST. FRANCIS.))

DR. MASSON ((gave notice that)) on Saturday next ((he would move an)) Address to His Excellency the Governor General, praying that he will be pleased to cause to be laid before this House copies of all proceedings on the Arbitration between the Government and John McBean, and others, of Lancaster, County of Glengary on the subject of damages done to their property by the high waters of Lake St. Francis.¹⁵¹

((NOTICE OF MOTION FOR AN ADDRESS RE: JUSTICE OF THE PEACE IN COUNTY OF BEAUHARNOIS.))

MR. C. DAOUST (Beauharnais) ((donne avis que)) lundi prochain ((il fera motion pour une)) Adresse à son excellence le gouverneur général, le priant de faire mettre devant cette chambre copie de toute correspondance ou recommandation relative à la nomination d'Honoré Laurin, écuyer, du comté de Beauharnais, comme juge de paix.¹⁵²

((NOTICE OF MOTION FOR RESOLUTIONS RE: JUDICATURE IN LOWER CANADA.))

MR. AT. GEN. DRUMMOND ((gave notice that he)) will tomorrow move certain Resolutions asserting the expediency of decentralizing the Judicial System of Lower Canada, and of making temporary provision for the payment of Petit Jurors in Lower Canada.¹⁵³

((NOTICE OF QUESTION RE: CLAIMS FOR DAMAGES CAUSED BY HIGH WATERS OF ST. FRANCIS LAKE.))

DR. MASSON ((gave notice that)) on Saturday next ((he would make an)) Enquiry of Ministry, why Government has referred the claims of inhabitants of Upper Canada, (especially those of John McBean, and others, of Lancaster,) for damages to their property, to arbitrators, on their first application to the Department of Public Works, and refused to refer also to arbitrators the claims for similar damages suffered by the inhabitants of the county of Soulanges, particularly those of Joseph Giroux, and others, who have claimed the same right for more than two years, having refused to accept the offers made by Messrs. Sirois and Burroughs, commissioners appointed to enquire into the said damages?¹⁵⁴

FOOTNOTES: 26 APRIL 1855.

1. GLOBE, 9 May 1855, reports the following comment: "A number of petitions were presented against the commutation clause of the Clergy Reserve Act, one of them by Mr. Brown, signed by 1200 inhabitants of the County of Kent."
2. GLOBE, 9 May 1855.
3. IBID.
4. IBID.
5. IBID.
6. IBID.
7. IBID.
8. IBID.
9. IBID.
10. IBID.
11. IBID.
12. IBID.
13. IBID.
14. TORONTO DAILY LEADER, 5 May 1855.
15. GLOBE, 9 May 1855.
16. IBID.
17. IBID.
18. TORONTO DAILY LEADER, 5 May 1855.
19. GLOBE, 9 May 1855.
20. IBID.
21. TORONTO DAILY LEADER, 5 May 1855.
22. GLOBE, 9 May 1855.
23. IBID.
24. IBID.
25. IBID.
26. TORONTO DAILY LEADER, 5 May 1855.
27. LE PAYS, 1 May 1855.
28. GLOBE, 9 May 1855.
29. IBID.
30. IBID.
31. TORONTO DAILY LEADER, 5 May 1855.
32. GLOBE, 9 May 1855. The ellipses represent illegible words.
33. GLOBE, 9 May 1855.
34. IBID.
35. IBID.
36. IBID.
37. LE PAYS, 1 May 1855.
38. GLOBE, 9 May 1855.
39. LE PAYS, 1 May 1855.
40. GLOBE, 9 May 1855.
41. LE PAYS, 1 May 1855.
42. GLOBE, 9 May 1855.
43. IBID.
44. IBID.
45. IBID.
46. IBID.
47. IBID.
48. IBID.
49. LE PAYS, 1 May 1855.

50. GLOBE, 9 May 1855. The debate which ensued on the subject of intoxicating liquors lasted, according to all the newspapers, until Saturday morning. MORNING CHRONICLE, 3 May 1855, comments that the debate on this measure occupied the whole time of the House "from about 4 P.M. till $\frac{1}{2}$ past 8 A.M. the next morning."
51. GLOBE, 9 May 1855.
52. LE PAYS, 1 May 1855.
53. IBID.
54. IBID.
55. IBID.
56. MORNING CHRONICLE, 3 May 1855. This newspaper reports that the speech of Mr. Pouliot was followed "by Messrs. Loranger, Turcotte, and Chauveau", even though no newspaper carries an account of Mr. Turcotte's remarks. Similarly, a commentary appeared in MONTREAL GAZETTE, 3 May 1855, reading as follows: "One of the chief points of the debate was the delivery by Mr. Pouliot of a written speech prepared for the occasion, in defence of the law ... and the replies of Messrs. Turcotte, Chauveau and Loranger thereto. The member for Dorchester ... winced under the repeated sallies of wit and sarcasm showered upon him by the three members". Mr. Chauveau's speech is reprinted as per footnotes 69 and 70.
57. LE PAYS, 1 May 1855.
58. IBID.
59. IBID.
60. GLOBE, 9 May 1855.
61. IBID.
62. TORONTO DAILY LEADER, 5 May 1855.
63. GLOBE, 9 May 1855.
64. TORONTO DAILY LEADER, 5 May 1855.
65. GLOBE, 9 May 1855.
66. TORONTO DAILY LEADER, 5 May 1855.
67. GLOBE, 9 May 1855.
68. TORONTO DAILY LEADER, 5 May 1855.
69. IBID.
70. MORNING CHRONICLE, 3 May 1855.
71. IBID.
72. IBID.
73. GLOBE, 9 May 1855.
74. IBID.
75. IBID.
76. IBID.
77. TORONTO DAILY LEADER, 5 May 1855.
78. GLOBE, 9 May 1855. It appears, as per GLOBE, 9 May 1855, that Mr. Langton gave notice of this motion during the course of his speech. LE PAYS, 3 May 1855, makes no mention of Mr. Langton's speech, but reports that this notice of motion for Saturday next was introduced after the discussion which took place on Mr. Larwill's amendment.
79. GLOBE, 9 May 1855.
80. LE PAYS, 3 May 1855.
81. GLOBE, 9 May 1855.
82. IBID.
83. LE PAYS, 3 May 1855.
84. GLOBE, 9 May 1855.
85. LE PAYS, 3 May 1855. GLOBE, 9 May 1855, at this stage of the debate, reports: "Mr. Langton said he was authorized by the hon. member for Kent (Mr. Larwill)

to withdraw his amendment." This information contrasts with LE PAYS, 3 May 1855, which adds that after Mr. Larwill's motion was withdrawn, Mr. Langton gave his notice of motion for Saturday next, as reprinted in footnote 78. No newspaper reports Mr. Langton having moved an amendment during this debate; and this member did, in fact, introduce his motion on Saturday, 28 April 1855.

86. GLOBE, 9 May 1855.
87. TORONTO DAILY LEADER, 5 May 1855.
88. IBID.
89. GLOBE, 9 May 1855.
90. IBID.
91. IBID.
92. GLOBE, 9 May 1855. This newspaper adds, furthermore, that "the hon. member ((Mr. Larwill)) embraced the opportunity of giving his views against the Bill, which he considered a fighting against Providence, as evil was allowed to exist in the world, and could never be eradicated." This statement may refer to Mr. Larwill's speech reprinted in footnote 72 which was connected with his earlier amendment. GLOBE, 9 May 1855, has made no account of that lengthy speech.
93. GLOBE, 9 May 1855.
94. IBID.
95. IBID.
96. IBID.
97. IBID.
98. IBID.
99. IBID.
100. MORNING CHRONICLE, 3 May 1855.
101. GLOBE, 9 May 1855. MONTREAL GAZETTE, 3 May 1855, comments that "at this point came into the House, Messrs. Morrison of Niagara, and Hincks."
102. GLOBE, 9 May 1855.
103. IBID.
104. IBID.
105. IBID.
106. IBID.
107. IBID.
108. IBID.
109. IBID.
110. IBID.
111. IBID.
112. IBID.
113. IBID.
114. IBID.
115. MORNING CHRONICLE, 3 May 1855.
116. GLOBE, 9 May 1855.
117. WESTERN PLANET, 9 May 1855.
118. GLOBE, 9 May 1855.
119. IBID.
120. IBID.
121. IBID.
122. GLOBE, 9 May 1855. At this point in the debate, GLOBE, 9 May 1855, reports the following: "As the hon. gentleman ((Mr. Murney)) concluded his speech, other two members of the Government, Mr. Insp. Gen. Cayley and Mr. Sol. Gen. H. Smith, entered the House, having been absent during the previous part of the debate. Mr. At. Gen. Drummond came in shortly afterwards."

123. GLOBE, 9 May 1855.
124. IBID.
125. IBID.
126. IBID.
127. IBID.
128. TORONTO DAILY LEADER, 5 May 1855.
129. GLOBE, 9 May 1855.
130. TORONTO DAILY LEADER, 5 May 1855.
131. IBID.
132. IBID.
133. GLOBE, 9 May 1855.
134. IBID.
135. IBID.
136. IBID.
137. IBID.
138. IBID.
139. IBID.
140. IBID.
141. IBID.
142. IBID.
143. IBID.
144. IBID.
145. IBID.
146. The following comment can be found in GLOBE, 9 May 1855: "At this stage of the proceedings it was about half-past two o'clock. During the remainder of the night, up till half-past eight o'clock in the morning, a trial of strength, proceeded between the friends of the Prohibitory Law, and its opponents, the former being determined to have a final vote before the House adjourned, the latter endeavouring to exhaust their powers of endurance, so as to have the measure again staved off. The cold-water men stood it out the longest, and Mr. Felton's motion was finally carried by 51 to 29". No newspapers have reported the debates which took place after this stage.
147. TORONTO DAILY LEADER, 5 May 1855, has attributed this motion to Mr. Cayley. This information contradicts the JOURNALS as well as the other major newspaper accounts.
148. GLOBE, 9 May 1855, mentions that "Mr. Felton's motion was finally carried ... a number of members who had been at home in their beds having been roused from their slumbers and brought down for the division, between 7 and 8 A.M." The following comment can also be found in MORNING CHRONICLE, 3 May 1855: "Finally, the bill was carried by very sleepy gentlemen, by very bilious-looking gentlemen, by very unshaven gentlemen, by a few fresh shaven gentlemen, and upon the whole, by a body of gentlemen very glad the job was over just in time for late breakfast at the hotels".
149. TORONTO DAILY LEADER, 5 May 1855.
150. IBID.
151. IBID.
152. LE PAYS, 1 May 1855.
153. MORNING CHRONICLE, 26 April 1855.
154. TORONTO DAILY LEADER, 5 May 1855.

FRIDAY, 27 APRIL 1855.

(939)

THE following Petitions were severally brought up, and laid on the table:--

By Mr. Bell,--The Petition of William McAdam and others, of the Township of Pakenham.

By Mr. Galt,--The Petition of Thomas C. Keefer, Civil Engineer, of the City of Montreal.

By the Honorable Mr. Chabot,--The Petition of A. Gugy and others, of the City of Quebec; the Petition of Richard Freeman, of the Parish of St. Ambroise, Tanner; and the Petition of Mrs. E. Taschereau and others, Directresses of L'Hospice de St. Joseph de la Maternité de Québec.

By the Honorable Mr. Spence,--The Petition of John Gartshore and others, of the Town of Dundas.

By Mr. Holton,--The Petition of Wolfred Nelson, Mayor, and others, of the City of Montreal.

MR. PAPIN présente une requête signée par 300 électeurs du comté de Rimouski, demandant que le siège du gouvernement soit fixé d'une manière permanente. (Écoutez! Écoutez!)¹

(939)

By Mr. Papin,--The Petition of Dougald Fraser and others, of the Parish of St. Jérôme de Matane.

Pursuant to the Order of the day, the following Petitions were read:--

Of Helen Keith Taylor, of Beachville, County of Oxford; representing that certain defects exist in the laws relating to imprisonment for debt in Upper Canada, and praying their removal, and for an enquiry into her present state of distress caused thereby.

Of the Reverend N. Belanger and others, of the Parish of St. Arsène de Kakouna; praying that the Bill now before the House to prevent the traffic in Alcoholic and Intoxicating Liquor, may become law.

Of the Reverend J.B. Gagnon, Curé, and others, of the Parish of L'Isle Verte, and Township of Viger, County of Temiscouata; praying an aid for a Road in the said Township.

Of Messieurs Wood, Petry, Poitras, and Company, and others, residing on the St. Lewis Road and the Coves; praying that the Road leading from the St. Lewis Highroad to the Cove Beach Road, passing to the Church of St. Richard, may be macadamized, and placed under the control of the Quebec Turnpike Trust.

Of the Reverend E. Payment and others, of the Parish of Charlesbourg, in the County of Quebec; praying that the Road called La Route du Bourg Royal, may be macadamized.

Of Joseph Lifton and others, of the County of Middlesex; praying that the discretionary power of commutation may not be exercised in carrying out the provisions of the Clergy Reserves Act.

Resolved, That the Petition of William McPherson and others, Medical Practitioners of Canada West, be referred to a Select Committee, composed of Mr. Fraser, Mr. Church, Mr. Roderick McDonald, Mr. Clarke, and Mr. Brown, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

On motion of Mr. Fergusson, seconded by Mr. Somerville,

Ordered, That the Select Committee on the Quebec Election Petition have leave to adjourn until Thursday, the third day of May next, at Ten o'clock in the forenoon.

The Honorable Mr. Cameron, from the Standing Committee on Miscellaneous Private

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Bills, presented to the House the Thirty-second Report of the said Committee; which was read, as followeth:--

Your Committee have examined the Bill from the Legislative Council, intituled, "An Act to prohibit Interments in certain Burial Grounds in the City of Quebec," and have agreed to recommend certain amendments thereto.

Your Committee have also examined the Bill to make certain alterations in the Deed of Trust of the First Colored Calvinist Baptist Church of Toronto, and have agreed to an amendment which they beg to submit for the consideration of Your Honorable House.

The Bill to confirm the Patent for Lot No. 4, Broken Concessions A and B, of the Township of Hamilton, has been considered by Your Committee, and they have proposed certain amendments which they have the honor to submit herewith.

On motion of MR. A. MORRISON,²

(940)

Ordered, That the Petition of Mrs. Mary Jane Edwoods and others, Trustees and Members of the First Colored Calvinist Baptist Church of Toronto, and--

On motion of MR. CAMERON,³

(940)

the Petition of Thomas Williams, Trustee, and others, Members of the First Colored Calvinist Baptist Church of Toronto, be printed for the use of the Members of this House.

Ordered, That the Bill from the Legislative Council, intituled, "an Act to prohibit Interments in certain Burial Grounds in the City of Quebec," as reported from the Standing Committee on Miscellaneous Private Bills, be committed to a Committee of the whole House, for Thursday next.

Ordered, That the Bill to confirm the Patent for Lot No. 4, Broken Concessions A and B, of the Township of Hamilton, as reported from the Standing Committee on Miscellaneous Private Bills, be committed to a Committee of the whole House, for Thursday next.

Ordered, That the Bill to make certain alterations in the Deed of Trust of the First Colored Calvinist Baptist Church of Toronto, as reported from the Standing Committee on Miscellaneous Private Bills, be committed to a Committee of the whole House, for Thursday next.

On motion of Mr. Solicitor General Smith, seconded by the Honorable Mr. Attorney General Macdonald,

Ordered, That the Orders of the day be now read.

And the Order of the day for the third reading of the Bill to confirm certain Marriages solemnized by the late Reverend Alexander McWattie, and to provide for the

proof thereof, and of other acts performed by him as a Minister of the Presbyterian Church, being read;

The Bill was accordingly read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. DeWitt do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to incorporate the Town of Paris, and to define the limits thereof, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Christie do carry the Bill to the Legislative Council, and desire their concurrence.

The House, according to Order, resolved itself into a Committee on the Bill to

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extend and continue the Act, intituled, "An Act to provide for the accommodation of the Courts of Superior Jurisdiction in Upper Canada," and for other purposes; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Masson reported, That the Committee had gone through the Bill, and made an amendment thereunto.

Ordered, That the Report be now received.

Mr. Masson reported the Bill accordingly; and the amendment was read, and agreed to.

Ordered, That the Bill be read the third time on Monday next.

The House, according to Order, again resolved itself into Committee of Supply; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Terrill reported, That the Committee had come to a Resolution.

Ordered, That the Report be received on Monday next.

Mr. Terrill also acquainted the House, that he was directed to move, That the Committee may have leave to sit again.

Ordered, That the Committee have leave to sit again on Monday next.

MR. INSP. GEN. CAYLEY propose qu'il soit résolu que la chambre se forme en comité, mardi prochain, pour prendre en considération une résolution pour accorder une nouvelle aide de 900,000L à la compagnie du Grand Tronc de chemin de fer.⁴ ((He)) said he supposed the House, having been in session the whole of the previous night, was too much exhausted to come to the discussion of his resolution for granting further aid to the Grand Trunk Railway Company.⁵

La motion est alors adoptée sans discussion.⁶

(941)

The Honorable Mr. Cayley moved, seconded by the Honorable Mr. Attorney General Macdonald, That this House will, on Tuesday next, resolve itself into a Committee to take into consideration the expediency of granting further aid to the Grand Trunk Railway Company;

The Honorable Sir Allan N. MacNab, a Member of the Executive Council, by Command of His Excellency the Governor General, then acquainted the House that His Excellency having been informed of the subject-matter of this Motion, recommends it to the consideration of the House.

Resolved, That this House will, on Tuesday next, resolve itself into the said Committee.

MR. AT. GEN. J.A. MACDONALD moved the House into committee on the bill to incorporate the Canada, Newfoundland, and London Telegraph Company. He said the Company's existence was already recognized in the other Provinces, and all they wanted was power to erect posts, and to acquire land for such stations as they might require in Canada.⁷

(941)

The House, according to Order, resolved itself into a Committee on the Bill to incorporate the Canada, Newfoundland and London Telegraph Company; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Bellingham reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time on Monday next.

On motion of MR. SOL. GEN. H. SMITH, the House went into Committee on the Bill to amend the Acts relating to Land Surveyors⁸.

MR. COM. CR. LANDS CAUCHON dit qu'il est important d'avoir des arpenteurs bien qualifiés;--qu'il s'est glissé des erreurs considérables dans la manière d'arpenter les terres publiques. Qu'en conséquence il devenait urgent d'adopter un bill comme celui qui est maintenant soumis par l'honorable sol. gen. Smith. Il était probable que la couronne serait dans la nécessité de faire arpenter de nouveau un grand nombre de terres à cause des irrégularités des premières explorations.⁹

MR. BUREAU, croit qu'il est de son devoir de dire qu'il concourt dans les remarques qui viennent d'être faites par l'honorable commissaire des terres de la couronne. Il sait que des irrégularités considérables ont eu lieu dans l'arpentage des terres dans différents townships.

Il en est résulté beaucoup de procès et de trouble. Il (M. B.) a déjà eu l'occasion de signaler l'erreur qu'il y a eu relativement aux terres de St. Jean-Chrysostôme, et qui fait le sujet d'une dispute entre les habitants de cette localité et le seigneur de Beauharnais.

Si le gouvernement est convaincu qu'il est nécessaire d'apporter une réforme pour remédier aux griefs qui viennent d'être énumérés, il est satisfait et espère que l'on parviendra à régler un grand nombre de difficultés. Il est un fait bien connu de l'hon. commissaire des terres, c'est que dans les townships de l'Est des arpenteurs ont laissé un vide de près de 60 arpens de profondeur sur une largeur très-considérables (sic); ce territoire est très-important. L'hon. commissaire des terres pourrait mieux que lui (M. B.) dire ce qui en est. Mais il n'insiste pas, car il ne veut pas entrer dans ces particularités. Il (M. B.) dit qu'il ne fait ces remarques que pour dire qu'il est heureux de voir confirmer par le nouveau commissaire des terres, ses opinions au sujet des erreurs dont sont coupables des arpenteurs inhabiles ou imprévoyants, erreurs qui ont été funestes à un grand nombre de colons.¹⁰

(941)

The House, according to Order, resolved itself into a Committee on the Bill to amend the Act relating to Land Surveyors; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Munro reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be received on Monday next.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

Mr. Speaker,

The Legislative Council have passed the following Bills, without Amendment; viz:-

Bill, intituled, "An Act to amend the Act to incorporate the Toronto Athenaeum:"

Bill, intituled, "An Act to incorporate St. Michael's College in the Diocese of Toronto:"

Bill, intituled, "An Act to incorporate l'Hospice St. Joseph de la Maternité de Québec:"

Bill, intituled, "An Act to authorize Jacob Hespeler, his heirs or assigns, to

(942)

erect a Dam or Breakwater on the Grand River, at or near the Village of Preston, in the County of Waterloo:"

Bill, intituled, "An Act to explain an Act, intituled, 'An Act to amend and extend the Law relative to the remedy by Replevin in Upper Canada:' "

Bill, intituled, "An Act to declare the Act confirming a Survey of the Township of Ameliasburgh to extend to the Township of Hillier, which at the time of the said Survey formed part of Ameliasburgh:" And also,

The Legislative Council have passed a Bill, intituled, "An Act to authorize the Grand Trunk Railway Company of Canada to change the location of their line in and near the City of Toronto," to which they desire the concurrence of this House: And also,

The Legislative Council have passed a Bill, intituled, "An Act to authorize the sale or lease of lands in Upper Canada held in trust for the use of Congregations or Religious Bodies," to which they desire the concurrence of this House: And also,

The Legislative Council have passed a Bill, intituled, "An Act to provide for the settlement of the Estates of persons who have or may die Insolvent," to which they desire the concurrence of this House.

And then he withdrew.

The Order of the day for the second reading of the Bill to amend the Seigniorial Tenure Act of 1854, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for Tuesday next.

The Order of the day for the second reading of the Bill to establish a Registry Office in and for each Electoral County in Lower Canada, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for Tuesday next.

The Order of the day for the second reading of the Bill to incorporate the Hamilton and South-western Railway, being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Railroads, Canals, and Telegraph Lines.

The Order of the day for the second reading of the Bill to amend the Acts incorporating the Cobourg and Peterborough Railway Company, and to authorize the construction of a Branch thereof to Marmora, being read;

The Bill was accordingly read a second time; and referred to the Standing committee on Railroads, Canals, and Telegraph Lines.

The Order of the day for the second reading of the Bill to amend the Charter of the Woodstock and Lake Erie Railway and Harbour Company, being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Railroads, Canals, and Telegraph Lines.

The Order of the day for the second reading of the Bill to amend and extend the provisions of the Act 16 Vic. cap. 191, being read;

The Bill was accordingly read a second time; and referred to a Select Committee, composed of Mr. Holton, Mr. Loranger, Mr. Antoine Aimé Dorion, Mr. Langton, and Mr. James Ross, to report thereon with all convenient speed; with power to send for persons, papers and records.

(943)

The Order of the day for the second reading of the Bill to amend the Act incorporating the Sydenham Harbour Company, being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

The Order of the day for the second reading of the Bill further to amend the Act, intituled, "An Act to make better provision for granting Licenses to Keepers of Taverns and Dealers in Spirituous Liquors in Lower Canada, and for the more effectual repression of Intemperance," being read;

The Bill was accordingly read a second time; and referred to a Select Committee, composed of Mr. Solicitor General Ross, Mr. Antoine Aimé Dorion, Mr. Casault, Mr. Laberge, Mr. Dufresne, the Honorable Mr. Chabot, and Mr. Loranger, to report thereon with all convenient speed; with power to send for persons, papers, and records.

The Order of the day for the second reading of the Bill to amend the Temperance Laws, being read;

The Bill was accordingly read a second time; and referred to the Select Committee to which was referred the Bill further to amend the Act, intituled, "An Act to make better provision for granting Licenses to Keepers of Taverns and Dealers in Spirituous Liquors in Lower Canada, and for the more effectual repression of Intemperance."

The Order of the day for the second reading of the Bill for the prevention of Intemperance in this Province, being read;

The Bill was accordingly read a second time; and referred to the Select Committee to which was referred the Bill further to amend the Act, intituled, "An Act to make better provision for granting Licenses to Keepers of Taverns and Dealers in Spirituous Liquors in Lower Canada, and for the more effectual repression of Intemperance."

On motion of the Honorable Mr. Cameron, seconded by the Honorable John Sandfield Macdonald,

Ordered, That the Bill from the Legislative Council, intituled, "An Act to authorize the sale or lease of Lands in Upper Canada held in trust for the use of Congregations or Religious Bodies," be now read for the first time.

The Bill was accordingly read the first time; and ordered to be read a second time on Monday next.

The Order of the day for the second reading of the Bill to require that all By-Laws of Township Councils in Upper Canada for raising money not required for the ordinary expenditure of such Townships, shall be approved by a majority of the Municipal Electors before they come into force, and for other purposes relating to Township Municipalities, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for Monday next.

The Honorable Mr. Cartier, one of Her Majesty's Executive Council, presented, pursuant to Addresses to His Excellency the Governor General,--Return to an Address from the Legislative Assembly of the 23rd ultimo, for a Statement of the amounts paid to the Harbour Commissioners of Montreal, being for commutation of Harbour Dues, by any Railway or Steamboat Company, or Individual, for Goods landed by them on the Wharves of the said Commissioners.

By Command,

Secretary's Office,
Quebec, 26th April, 1855.

Geo. Et. Cartier,
Secretary.

(944)

Statement of Harbour Dues received in the year 1854, from Parties with whom the Harbour Commissioners of Montreal commuted for Dues in the said year:--

Names of Parties.	Vessels employed.	Gross Sum agreed upon for the Season.			Rate per Trip agreed upon for the Season.			Rate per month or per day agreed upon for the Season.		
		£	s.	d.	£	s.	d.	£	s.	d.
Champlain and St. Lawrence Railroad Company.....	Two Steamers and two Barges...	1288	0	7						
Grand Trunk Railroad Company.....	One Steamer and one Barge....	600	0	0						
Tate Brothers.....	Two Steamers.....	400	0	0						
Richelieu Steamboat Company.....	One Steamer.....	140	0	0						
Captain Sénécal.....	One Steamer.....	125	0	0						
Captain Duval.....	One Steamer.....	115	0	0						
Ant. Rivard.....	One Boat.....	16	10	0						
Montreal and Quebec Steamboat Company..	Two Steamers.....	.....	..	..	4	10	0 each			
George Shaw.....	One Steamer.....	.....	..	..	4	10	0			
Jodoin & Lespérance...	Two Steamers.....	.....	..	..	..	..	.....	1	0	0 p. day
Grand Trunk Railroad Contractors.....	Two Steamers and sundry Scows..... }	.....	..	..	..	..	.....	13	8	2 per month.

Harbour Commissioners Office,
Montreal, April 21, 1855.

Jno. Glass,
Secretary.

Return to an Address of the Legislative Assembly, of the 22nd ultimo, for a Statement of the Revenue and Expenditure of management of the Turnpike Roads in Montreal, during the years 1853 and 1854.

For the said Return, see Appendix (I.)

Return to an Address from the Legislative Assembly, of the 21st instant, for copy of all Correspondence relating to the Seignior of Lanaudière from the 1st of July, 1853, to date of Address.

For the said Return, see Appendix (Z.Z.Z.)

The Order of the day for the second reading of the Bill to ascertain and determine the powers of the Trustees of the Quebec Turnpike Roads, and for other purposes, being read;

The Honorable Mr. Cauchon moved, seconded by the Honorable Mr. Chabot, and the Question being proposed, That the Bill be now read a second time;

Mr. Mackenzie moved in amendment, seconded by Mr. Brown, That all the words after "That" to the end of the Question be left out, in order to add instead thereof the words "certain Trustees appointed by Government, have, during the last fifteen years, received the whole of the proceeds of Tolls on the several Roads around the City of Quebec, placed in their charge; that they have never paid one shilling of interest on the monies borrowed, or of the interest for which the Province was responsible; that the said interest and the principal, have been paid out of the Consolidated Fund by the Receiver General to the amount of about Sixty thousand pounds; that there is no prospect that the said Trustees will ever pay back any part of these monies; and that, in the opinion of this House, said Roads ought to be sold

(945)

by Auction, the purchasers to be entitled to the Toll receipts, and to be subject to the Rules now applicable to the Public Roads, Bridges, and Harbours sold to Companies in Canada West;"

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Brown, Foley, Hartman, and Mackenzie.--(4.)

NAYS.

Messieurs Aikins, Bell, Bellingham, Blanchet, Bourassa, Brodeur, Cartier, Casault, Cauchon, Chabot, Chapais, Chauveau, Darche, Desaulniers, DeWitt, Dionne, Jean B.E. Dorion, Antoine A. Dorion, Attorney General Drummond, Dufresne, Octave C. Fortier, Fournier, Frazer, Gill, Guévremont, Labelle, Laporte, LeBoutillier, Lemieux, Macbeth, John S. Macdonald, Roderick McDonald, Sir A.N. MacNab, McCann, Marchildon, Masson, Mattice, Meagher, Mongenais, O'Farrell, Papin, Rankin, Robinson, Rolph, Solicitor General Ross, Sanborn, Solicitor General Smith, Spence, Stevenson, Terrill, Thibault, Turcotte, Whitney, and Yeilding.--(54.)

So it passed in the Negative.¹¹

Then the main Question being put;

Ordered, That the Bill be now read a second time.

The Bill was accordingly read a second time; and referred to a Select Committee, composed of the Honorable Mr. Cauchon, the Honorable Mr. Chabot, the Honorable John Sandfield Macdonald, the Honorable Mr. Chauveau, and Mr. Rankin, to report thereon with all convenient speed; with power to send for persons, papers, and records.

MR. SOL. GEN. H. SMITH moved that the Bill from the Legislative Council to authorize the Grand Trunk Railway of Canada to change the location of their line in or near the city of Toronto, be read a first time.¹²

MR. BROWN hoped the measure would not be proceeded with till the member for Toronto (Mr. Cameron) was in his place.¹³

MR. SOL. GEN. H. SMITH said the Bill would only be read a first time just now, and after the second reading it would be referred to the Private Bills Committee, before any further action was taken on it.¹⁴

The Bill was then read a first time¹⁵.

(945)

On motion of Mr. Solicitor General Smith, seconded by Mr. Turcotte, Ordered, That the Bill from the Legislative Council, intituled, "An Act to authorize the Grand Trunk Railway Company of Canada to change the location of their line in and near the City of Toronto," be now read for the first time.

The Bill was accordingly read the first time; and ordered to be read a second time on Tuesday next.

The Order of the day for the second reading of the Bill to consolidate and amend the Laws relating to Tavern Licences, and for the more effectual repression of Intemperance, being read;

The Bill was accordingly read a second time; and referred to the Select Committee to which was referred the Bill further to amend the Act, intituled, "An Act to make better provision for granting Licences to Keepers of Taverns and Dealers in Spirituous Liquors in Lower Canada, and for the more effectual repression of Intemperance."

The Order of the day for the second reading of the Bill to amend the Act incorporating the Stanstead, Shefford, and Chambly Railroad Company, and for other purposes, being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Railroads, Canals, and Telegraph Lines.

(946)

*Then, on motion of Mr. Masson, seconded by Mr. Mackenzie,
The House adjourned.¹⁶*

FOOTNOTES: 27 APRIL 1855.

1. LE PAYS, 5 May 1855.
2. GLOBE, 9 May 1855.
3. IBID.
4. LE PAYS, 5 May 1855.
5. GLOBE, 9 May 1855.
6. LE PAYS, 5 May 1855.
7. GLOBE, 9 May 1855.
8. IBID.
9. LE PAYS, 5 May 1855.
10. LE PAYS, 5 May 1855. This newspaper adds that the Committee reported progress "après un débat assez long auquel prirent part les membres du Haut-Canada intéressés dans la question". Similarly, GLOBE, 9 May 1855, reports the motion passed through the Committee "after a good deal of discussion". However, no newspaper has printed an account of further debate on this question.
11. GLOBE, 9 May 1855, reports: "After a discussion of some hours, the amendment was negatived". This debate, however, does not appear in the newspapers.
12. GLOBE, 9 May 1855.
13. IBID.
14. IBID.
15. IBID.
16. According to LE PAYS, 5 May 1855, the House adjourned at 9:30 p.m.

SATURDAY, 28 APRIL 1855.

(946)

THE following Petitions were severally brought up, and laid on the table:--

By Mr. Fergusson,--The Petition of the Town Council of the Town of Guelph.

By Mr. Sidney Smith,--The Petition of the Reverend Thomas Snell and others, of the County of Northumberland.

By Mr. Bourassa,--The Petition of R. Canfield and others, of the Parish of Lacolle.

By Mr. Christie,--The Petition of William Skelly and others, of the Township of Oakland, County of Brant.

By the Honorable Mr. Merritt,--The Petition of Adam Brown and others, of Queenston, St. Catharines, and vicinity.

By Mr. Huot,--The Petition of Joseph Adam, of the City of Quebec, Superintendent of Gover(n)ment Wharves in Lower Canada; the Petition of the Reverend A. Beaudry and others, School Commissioners for the Parish of St. Etienne de La Malbaie; and the Petition of A. Gagnon and others, of St. Paul's Bay, County of Saguenay.

By Mr. Alleyn,--The Petition of the Quebec Board of Trade.

By Mr. Brown,--The Petition of Thomas Short and others, of the Township of Otonabee, in the County of Peterborough; the Petition of William Learmouth and others, of the County of Peterborough; the Petition of George Hamilton and others, of the County of Perth; and the Petition of J.W. Parmenter and others, of the Village of Gananoque and vicinity, County of Leeds.

By Mr. Mackenzie,--The Petition of Abraham Nash and others, of South Cayuga and other Townships, County of Haldimand; the Petition of Duncan Campbell and others, of the Township of Cayuga, in the County of Haldimand; the Petition of William Purdey and others, in the County of Grey; the Petition of C. Latshaw and others, of the County of Brant; the Petition of W. Holmes and others, of the County of Haldimand; and the Petition of James Black and others, of the Townships of Guelph and Eramosa, County of Wellington.

By Mr. Biggar,--The Petition of Shubael D. Malcolm and others, of the County of Brant.

By Mr. Solicitor General Ross,--The Petition of J.P. Proux, Mayor, and others, of Ste. Marie Nouvelle Beauce.

Pursuant to the Order of the day, the following Petitions were read:--

Of the Marmora Foundry Company; praying that the Bill to enable the Cobourg and Peterborough Railway Company to construct a Road to Marmora, may become law.

Of M. Crépeau and others, of the Parish of St. Félix de Valois; and of Amable Eno dit Deschamps and others, of the Parish of Repentigny; praying that a permanent Seat of Government may be established.

Of Thomas Jarvis, of the Parish of St. Patrice de la Rivière du Loup, County of Temiscouata; praying to be indemnified for loss sustained in carrying the Mails from Rivière du Loup, via Temiscouata, to the Province line of New Brunswick.

(947)

Of William McLachlan, Chairman, and Robert McLean, Secretary, on behalf of a public meeting of the Inhabitants of Galt; and of Alexander Kennedy and others, of the Township of Osgoode; praying for the passing of a Prohibitory Liquor Law.

Of John Burke and others, of the Village of Bowmanville, in the County of Durham; of Matthew Jones and others, of the Township of Darlington, in the County of

Durham; of Peter Winger and others, of the Township of Woolwich, County of Waterloo; of George H. Wright and others, of the County of Welland; of A. Inglis and others, of the Township of Plympton; of John Thomson and others, of the County of Huron; of John Riddell and others; of J.W. Rose and others, of the County of Kent; of John Mackintosh and others, of the Township of Mosa, County of Middlesex; of Andrew Telfer and others, of the United Counties of York and Peel; of George Sunley and others; of Robert Torrance and others, of the County of Wellington; and of Francis Beattie and others, of the County of Wellington; praying that the discretionary power of commutation may not be exercised in carrying out the provisions of the Clergy Reserves Act.

Of the Mechanics' Institute and Library Association of the Township of Hemmingford; praying for an aid.

Of John Trenholm and others, of Trenholmvile and neighbourhood; of Patrick McCabe, senior, and others, of Wickham, in the County of Drummond; of A. Leighton and others, of South Durham, in the County of Drummond; of G.L. Marler and others, of the Parish of Drummondville; of George McGauran and others, of Warwick, in the County of Drummond; and of J.E. Ferté and others, of the Village of L'Avenir; praying that the United Counties of Drummond and Arthabaska may be united to those of Sherbrooke and Wolfe, for the election of a Member for the Legislative Council.

Of the Provisional Municipal Council of the County of Welland; praying for the passing of an Act to devise means to liquidate certain debts and claims against said County, and for other purposes.

Of Walter Ebert and others, of the Town of Chatham; representing that the Trade and Commerce of the West is greatly retarded by shoal water on the flats of the St. Clair River; and praying for a grant to remove the said obstructions.

Of L.H. Johnson and others, of the Counties of Kent and Lambton; praying for the passing of an Act to construct a Railway between the River St. Clair and Rondeau Harbour on Lake Erie.

Of Joseph Graham and others, of the United Counties of York and Peel; praying for the redress of certain grievances.

Of John Pope and others, Magistrates, of Eaton and other Townships in the District of St. Francis; praying that a new Circuit may be established in the District of St. Francis, under the name of the Eaton Circuit.

Of the Mayor, Aldermen, and Commonalty of the City of Hamilton; praying for the passing of an Act to authorize the construction of a Railway to be called "The South-western Railway," and that the City of Hamilton may be the Eastern Terminus thereof.

Of the Mayor, Aldermen, and Commonalty of the City of Hamilton ((OR Toronto))¹; praying that power may be given to the Great Western Railway Company to run their Steam Vessels between Hamilton, Toronto, and Oswego.

Ordered, That the Petition of the Municipality of the Township of Marmora, in the County of Hastings; the Petition of the Municipality of the Township of Asphodel; and the Petition of the Marmora Foundry Company, be referred to the Standing Committee on Railroads, Canals, and Telegraph Lines.

(948)

The Honorable Mr. Cameron, from the Standing Committee on Miscellaneous Private Bills, presented to the House the Thirty-third Report of the said Committee; which was read, as followeth:--

Your Committee have examined the following Bills, and have agreed to report the same without any amendment:--

Bill to repeal the Act confirming a certain allowance for Road in the Township of Monaghan:

Bill to amend the provisions of the Act 16 Vic. cap. 54.

Your Committee have also examined the following Bills, and have agreed to certain amendments to each, which they beg to submit for the consideration of Your Honorable House:--

Bill to enable the Trustees of the Toronto General Burying Ground to close the same, to sell a portion thereof, and to acquire other ground for the purposes of the Trust:

Bill to incorporate the Canada Ore Dressing Company:

Bill to establish a College in the City of Hamilton.

Ordered, That the Bill to amend the provisions of the Act 16 Vic. cap. 54, be read the third time on Monday next.

Ordered, That the Bill to repeal the Act confirming a certain allowance for Road in the Township of Monaghan, be read the third time on Monday next.

Ordered, That the Bill to establish a College in the City of Hamilton, as reported from the Standing Committee on Miscellaneous Private Bills, be referred to a Select Committee, composed of the Honorable Sir Allan N. MacNab, Mr. Joseph Curran Morrison, Mr. Freeman, Mr. Brown, and Mr. Church, to report thereon with all convenient speed; with power to send for persons, papers, and records.

Sur motion de MR. CHISHOLM,²

(948)

Ordered, That the Bill to incorporate the Canada Ore Dressing Company, as reported from the Standing Committee on Miscellaneous Private Bills, be committed to a Committee of the whole House, for Monday next.

Sur motion de MR. ALLEYN³,

(948)

Ordered, That the Bill further to amend the Act of Incorporation of the British North American Electric Telegraph Association to enable the said Association to construct Branch Lines and to subscribe for Stock in other Electric Telegraph Companies, as reported from the Standing Committee on Railroads, Canals, and Telegraph Lines, be committed to a Committee of the Whole House, for Thursday next.

Mr. Jobin, from the Standing Committee on Contingencies, presented to the House the Twelfth Report of the said Committee; which was read, as followeth:

From the representation made to them by the Accountant, Your Committee recommend the adoption of an Address to His Excellency the Governor General, for the issuing of a Warrant in favor of the Clerk for the sum of Ten thousand pounds, on account of the Contingent expenses of Your Honorable House.

On motion of Mr. Jobin, seconded by Mr. Papin,

Resolved, That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to issue his Warrant in favor of William Burns Lindsay, Esquire, Clerk of this House, for the sum of Ten thousand

pounds, on account of the Contingent Expenses of this House; and assuring His Excellency that this House will make good the same.

(949)

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

On motion of Mr. Chisholm, seconded by Mr. Angus Morrison,

Ordered, That the Bill from the Legislative Council, intituled, "An Act to amend the Upper Canada Road, Bridge, Pier or Wharf Joint Stock Companies Act of 1853," be now read for the first time.

The Bill was accordingly read the first time; and ordered to be read a second time on Monday next.

Ordered, That the Bill to enable the Trustees of the Toronto General Burying Ground to close the same, to sell a portion thereof, and to acquire other ground for the purposes of the Trust, as reported from the Standing Committee on Miscellaneous Private Bills, be committed to a Committee of the whole House, for Thursday next.

Ordered, That the Petition of Joseph Graham and others, of the United Counties of York and Peel, be printed for the use of the Members of this House.

The Honorable Mr. Cartier, one of Her Majesty's Executive Council, presented, pursuant to an Address to His Excellency the Governor General,--Return in part to an Address from the Legislative Assembly, of the 21st instant, for certain Papers relative to Affairs of the Grand Trunk Railway Company, and for a List of the Stockholders of the Grand Trunk Railway Company, and of the other Companies associated therewith.

For the said Return, see Appendix (F.F.)

Ordered, That the said Return be printed for the use of the Members of this House.

Ordered, That Mr. Loranger have leave to bring in a Bill to make further provision to facilitate the Trial by Jury in the Circuit Courts of Lower Canada.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

Ordered, That Mr. Darche have leave to bring in a Bill to amend the Act 4 & 5 Vic. cap. 21, so as to empower the Inhabitants of Rural Districts to sell their effects by auction without License.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

Ordered, That Mr. Huot have leave to bring in a Bill to establish Vote by Ballot in the Election of Members of the Legislative Assembly.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

Ordered, That Mr. Huot have leave to bring in a Bill to establish universal suffrage in the Election of Members of the Legislative Assembly.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Friday next.

(950)

Ordered, That Mr. Masson have leave to bring in a Bill to amend the Act 7 Vic. cap. 19.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

Ordered, That Mr. Desaulniers have leave to bring in a Bill to amend the School Law of Lower Canada.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday the seventh of May next.

Ordered, That Mr. Sidney Smith have leave to bring in a Bill to authorize Her Majesty's Subjects to plead and reason for themselves and others, in all Her Majesty's Courts of Judicature in Canada, and to abolish the title or distinction of Queen's Counsel.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

On motion of Mr. Terrill, seconded by Mr. Dufresne,

Ordered, That the 71st Rule of this House be suspended as regards the Bill to amend the Act incorporating the Stanstead, Shefford, and Chambly Railway Company, and for other purposes.

((On motion of)) MR. CHABOT⁴,

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Resolved, That the Petition of William Power, Esquire, of the City of Quebec, Circuit Judge, be referred to a Select Committee, composed of the Honorable Mr. Chabot, Mr. Bureau, the Honorable Mr. Chauveau, Mr. Terrill, and Mr. Rankin, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

Ordered, That the Petition of M.A. Hearn, of the City of Quebec, Student at Law, be referred to the said Committee.

On motion of Mr. Mackenzie, seconded by Mr. Aikins,

Ordered, That it be an Instruction to the Standing Committee on Railroads, Canals, and Telegraph Lines, to take into consideration the following Resolutions providing against accidents, and to ensure the personal safety of Passengers travelling on Railways or in Stages:--

1. That, if by reason of the grossest negligence, carelessness, or unfitness of the servants or agents of any Railroad Corporation in this Province, or over any drawbridge which crosses any stream or harbour in this Province, while engaged in the business of such Corporation, or by reason of the negligence or carelessness of such Corporation, or of the proprietor or proprietors of any Steamboat or stage coach, or of common carriers of passengers, or by the unfitness or gross negligence or carelessness of their servants or agents in this Province, while engaged in the business thereof, the life of any person being a passenger shall be lost, such person being in the exercise of due care and diligence, such Railroad Corporation,

such proprietor or proprietors, and common carrier or carriers, shall be liable to a fine, not exceeding ____ dollars, and not less than ____ dollars, to be recovered by indictment, to the use of the executors or administrators of the deceased person, for the benefit of his widow and children, one moiety thereof to belong to his widow, and one moiety to his children; but if there shall be no children the whole to his widow, and if no widow nor child the whole to his heirs at law.

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2. If by reason of the gross negligence, carelessness, or unfitness of the servants or agents of any Railroad Corporation in this Province, while engaged in the business of such Corporation, or by reason of the negligence or carelessness of such Corporation, the life of any person, not being a passenger or employé of such Corporation shall be lost, such person being in the exercise of due care and diligence, such Corporation shall be liable to a fine not exceeding ____ dollars, and not less than ____ dollars, to be recovered in the manner and to the use provided by the preceding Resolution.

3. No Railroad Corporation shall be liable to the fine mentioned in the preceding Resolutions, for the loss of life by any reason, while walking or being upon any Railroad, contrary to law, or to the reasonable rules and regulations of such Corporations.

4. All indictments for loss of life thus provided shall be prosecuted within one year from the death of the person whose life is so lost.

5. Any person who shall, without right, knowingly stand or walk on any Railroad track, or pass over any Railroad bridge within this Province, on foot or with a horse and carriage, or in any other manner except by a Railroad conveyance, shall be liable to a penalty of not less than ____ dollars, nor more than ____ dollars, to be recovered to the use of the Province on complaint before any Justice of the Peace, or Municipal or Police Court, in the County where the offence is committed, but this shall not effect (sic) such Railroad bridges as have been especially constructed to accommodate ordinary travel, if used under such limitations and restrictions as the County Councils of the County or Counties in which they are located may impose.

6. Each and every Railroad Corporation chartered by this Province, shall, within two months, post up and keep posted up in a conspicuous place, in every passenger depot constructed and used by them, a printed copy of these Resolutions, and every such Corporation that shall neglect so to do, shall be liable to a fine not exceeding ____ dollars, for every such offence, to be recovered by indictment in any Court of competent jurisdiction.

7. If any Railroad Corporation shall run their engines, cars, or trains, across any public highway in or near any compact part of any Town or City in this Province, at a greater speed than six miles per hour, or if any such Corporation or their servants or agents shall unreasonably and negligently obstruct any highway, townway, or public street, in this Province, by their engines, tenders, or cars, such Corporation shall be liable to a fine not exceeding ____ dollars, for every such offence, to be recovered by indictment in any Court of competent jurisdiction.

Ordered, That Mr. Casault have leave to bring in a Bill to declare what shall be the legal text of the Acts of the Legislature in certain cases.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

On motion of Mr. Masson, seconded by Mr. Thomas Fortier,

Resolved, That an humble Address be presented to His Excellency the Governor General, praying that he will be pleased to cause to be laid before this House,

copies of all proceedings on the Arbitration between the Government and John McBean and others, of Lancaster, County of Glengarry, on the subject of damages done to their property by the high waters of Lake St. Francis.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

MR. LANGTON gave notice for Monday of a Committee of the whole, to forward an address to the Governor respecting compensation to distillers and brewers for the deterioration of their property in consequence of the proposed restriction in the manufacturing of liquors⁵.

The motion was ruled out of order.⁶

MR. LANGTON moved the resolutions of which he had given notice respecting compensation to distillers and brewers for the deterioration of their property in consequence of the proposed restriction on the manufacture and sale of intoxicating liquors. He said the Bill for prohibiting the sale of intoxicating liquors had now proceeded so far, and had called forth so decided an expression of opinion in its favour, that there was almost a certainty of its becoming law. He thought, therefore, it was time to take into consideration the case of those individuals who would suffer very great injury in consequence of the passing of the Bill. He considered that distillers and brewers stood on a very different footing in this respect from those merely engaged in the sale of liquor. They had been distinctly encouraged by the existing laws to put up very extensive works which could be of every (*sic*) little use to them for any other purpose than the manufacture of liquor. Although the buildings to a certain extent might be turned to some other use, and to that extent the amount of compensation would be diminished, yet it could not be without very considerable loss that they could be so diverted to other purposes. If then they had been encouraged by the law to put up those buildings and works, and if, for the sake of the public good, they now prohibited them from using their property in the only way that they could do so advantageously to themselves, he thought they had a decided right to receive compensation, and he desired to bring the matter before the House and have a distinct expression of opinion on it before the third reading of the Bill. But before going farther into the subject, he would like to hear what were the objections to be urged to the course he proposed, and would reserve what further he had to say till he heard those objections.⁷ Il propose que la chambre se forme en comité pour prendre en considération les résolutions suivantes:⁸

"1. That large amounts of capital have been expended in this province under the sanction of existing Laws in the erection of Breweries and Distilleries, which, not being easily applicable to other purposes, will become comparatively useless, and their value will be seriously deteriorated by the passing of the Bill for restricting the manufacture and sale of intoxicating Liquors now before this House.

"2. That it is unjust that individuals should suffer from the operation of this measure intended for the public welfare, without provision being made to indemnify them for the injury done to their property."⁹

MR. FERRES thought it was somewhat premature for this matter to be taken up by the House, until the Bill actually passed.¹⁰

MR. SANBORN said he conceived the Government had committed a fatal mistake in allowing those resolutions to be put, involving as they did a money grant which

could only properly originate with the Government.¹¹ ((Il)) dit que la motion de l'hon. membre pour Peterborough (M. Langton) place le bill de tempérance sous un aspect très sérieux devant le gouvernement. Il pense que si elle était adoptée et que la chambre reconnût la nécessité d'indemniser les distillateurs dans l'éventualité de la passation d'une loi prohibitive, le ministère se trouverait engagé dans de grandes difficultés, et comme il (M. S.) désire beaucoup prévenir une calamité qu'il regretterait, autant que celle de voir les aviseurs responsables de sa majesté dans l'embarras, il attire fortement leur attention sur le contenu de cette motion. Le ministère a permis que ce bill fut présenté à la chambre comme une question ouverte. S'il comporte une question du revenu, s'il nécessite une appropriation de deniers pour indemniser ceux qui souffriront par son adoption, le ministère aurait dû le savoir et prendre la responsabilité, ou de le supporter, ou de le faire rejeter. Il ne l'a pas fait; il a permis que la mesure fût considérée indépendamment des questions d'expédience politique ou des intérêts de parti.

Pour son honneur et pour être consistant, le ministère doit s'opposer à cette motion. En laissant cette question ouverte, le ministère voulait, s'il voulait honnêtement quelque chose, permettre à la chambre de passer ce bill si la majorité des membres étaient en sa faveur. Si la chambre est prête à passer ce bill, il doit être prêt à en subir les conséquences. Le ministère du jour aura donc, suivant les principes du gouvernement responsable (s'il comprend bien le gouvernement responsable, car il paraît sous tant de phases diverses qu'il doute quelque fois s'il comprend), le ministère du jour devra pourvoir à toutes les dépenses suscitées par l'adoption de cette mesure. Le ministère a-t-il quelque doute sur cette matière? Si la lumière s'éteignait, doute-t-il qu'on pourrait trouver d'autres luminaires qui seraient prêts à prendre place et à répandre leurs rayons sur tout acte de législation honnête?

Il est tems de trouver un remède quand on a fait un mal. Qui a jamais vu un corps délibératif s'occuper de la nécessité de remédier à des maux causés par le passage d'une loi, avant que cette loi soit adoptée par l'une des trois branches de la législature? Cette proposition n'est qu'un mouvement hostile à la mesure. C'est un stratagème bien concerté dans le but qu'on a en vue. Si la chambre reconnaissait le principe d'indemnité, le ministère serait alors forcé de sanctionner les dépenses nécessaires pour y pourvoir. Sans donner une opinion abstraite sur le bill, le ministère viendrait très probablement dire que le revenu ne permettrait pas de recommander cette dépense. Le résultat serait que le bill ne pourrait être mis en force. Il ne pourrait passer qu'avec la sanction du gouvernement pour l'indemnité, il ne la donnerait pas, et le bill serait perdu. Est-ce de la justice de la part du gouvernement? Les amis de la mesure attendent peut-être trop s'ils attendent justice de la part des ministres. Est-ce consistance? On peut encore moins attendre la consistance de leur part, car ils ne sont consistants que dans leur perpétuelle inconsistance. Ils sont tenus en honneur et par honnêteté de résister à cette motion, afin de laisser le bill entre les mains de la chambre, puisqu'ils ont permis que ce fût une question ouverte. S'ils ne le font pas, ils manifesteront une conduite lâche et hypocrite. Il (M. S.) considère donc que charger le bill de cette nouvelle question, c'est le faire sombrer inévitablement, et il invite ses amis à réfléchir sérieusement sur les conséquences de leur vote avant de le donner.¹² In regard to the question immediately before the House, this being a general law for the good of the whole, and giving no individual or party greater advantages than it gave to the whole community, he took up the grounds that all individuals must bear the results of that law, whatever they might be. As a Legislature they were continually acting upon this principle. The whole progress of Legislation was based upon this principle, and any other principle would lead to most dangerous results and

produce the greatest confusion. And independently of the injustice of giving compensation in this case, which had not been given in many similar cases, to agree to a general measure of indemnity would lead to the appointment of special commissions, and to a system of jobbery in which the public interest ((would be entirely))ly lost sight of. He would ... results which would flow from ... principle of indemnity in this case ... manufacturing interest in this country ((was at)) present protected by a heavy duty. Suppose ((the)) interests of the Province required the reduction or removal of that duty, the paper manufacturer would find his property not worth half its former value, or he might not be able to compete at all with foreign manufacturers. Would any one pretend that in such a case the paper manufacturers should receive indemnity, the object of the duty not having been the protection of those individuals but the general benefit of the country. Again when the Legislature granted charters to Railroad Companies to carry lines through any portion of the Province, the effect of their doing so was to render stage-coaches of no value to their proprietors, and to destroy the occupation of the parties formerly engaged in the conveyance of passengers and traffic. But was any proposal for compensation ever heard of in such a case as that? The Reciprocity Treaty, while advantageous to the community, had in many cases destroyed the property of individuals. In St. John's for example there was an extensive planing factory, but as the Reciprocity Treaty allowed sawn lumber to be taken over free, and imposed a heavy duty on planed lumber, the effect of it was that the profits of the factory were entirely destroyed. Would any one propose compensation in that and many similar cases? If they once established a precedent by adopting the resolutions now before the House, there would be no end to the cases in which indemnity would be sought for the results of legislation. The only precedent that could be cited on the other side was the indemnity given by the British Government to the slaveholders.¹³ Lors de la discussion sur le commerce des noirs, il fut argué que les marchands du Liverpool devaient être indemnisés pour la perte de l'usage de leurs vaisseaux et autres propriétés employées dans ce commerce; mais le parlement anglais refusa de reconnaître ce principe. Lorsqu'il fut décidé d'abolir l'esclavage dans les Indes Orientales, il fut accordé une indemnité aux propriétaires, parce que leur propriété leur était enlevée.¹⁴ But that belonged to an entirely different class. In that case, what had been recognized as property was taken away, by being declared to be no property, and compensation was made on the same principle as Railroad Companies had to make compensation for the lands they took from individuals.¹⁵ La fabrication et la vente des liqueurs spiritueuses est d'une nature exceptionnelle, car cela n'est permis que par licence, et cette industrie n'est pas ouverte à tout le monde, comme les autres branches d'industrie ou de négoce.¹⁶ The license system had been frequently charged to the injury more or less of certain parties, but no indemnity had been provided. Suppose they were to restrict the traf((f))ic by one half, would the half driven out of the business be indemnified? On that principle every year that they made the license law more stringent they would be bound to indemnify the parties interested.¹⁷ La destruction ou l'appropriation de la propriété individuelle donnent droit à une indemnité, mais la restriction d'une industrie ou d'un commerce dans des limites réclamées par la sûreté publique ne donne aucun droit à une réclamation d'indemnité. Mais, pour se servir d'un argument secondaire, il demande comment on pourrait parvenir à s'assurer de la perte réelle, quand il faudrait s'arrêter, et quelle législation serait possible, s'il fallait indemniser tous ceux qui souffrent quelques dommages par la passation de quelques lois, car chaque loi, faite dans l'intérêt général, comporte des inconvénients pour les individus et leur fait subir des pertes. En admettant ce principe, la moralité et la sûreté publique seraient soumises aux intérêts individuels.¹⁸ The principle now

sought to be affirmed he considered to be utterly untenable and indefensible, and he believed the object of introducing it was to destroy the Bill, by clogging it with a weight which it could not carry, and making it assume a shape in which it could never receive the Royal sanction. But, supposing he were wrong, supposing that indemnity ought to be made, he did not think this was the proper time for raising the question. They should postpone that question till the Bill passed, and the necessity for it arose, when the friends of the measure, he had no doubt, would be ready to do what would approve itself as justice in the premises. He trusted the Government would not sanction that principle, at all events at the present stage of the Bill. They had allowed it to be an open measure hitherto, and he desired they should keep their hands off it, until it finally passed.¹⁹

MR. MACKENZIE agreed in every word that had fallen from the hon. member for Compton. Whatever might be the ostensible motive of the resolutions, he looked upon them as designed to defeat the great measure before the House. And taking the matter on its own merits, he held that no more untenable proposition had ever been made to a Legislative body than was made in the present instance. The brewers and distillers had had the same notice as to their property, as others had received in similar cases. They had warning two years ago that the House was within two of carrying the law. And when 70,000 petitioners came and asked the House of Assembly to pass the law, they had that as a warning. Again, if the Bill passed, it would not go into operation for a year, so that those who had their property engaged in that way, would have full time to consider how they might dispose of it to advantage. If they could shew it was the usage in any civilized society to pay in cases of that kind, they might claim compensation, but in none of the States where this law had passed, could any instance be shewn of persons engaged in distilling liquid poison having been paid, after they had received due notice to quit. The proprietors of a turnpike road, when destroyed by a railway, might with a much better grace claim compensation. A turnpike road did not turn people's brains, and set them fighting against each other like liquor, yet indemnity for its being raised by a railroad was a thing that had never been heard of. When Arkwright had invented his spinning jenny, myriads of spinning wheels were thrown out of occupation, but did those who made a living in that way get or even claim compensation? When Fulton set his steamboats running on the Hudson faster than any vessels could go with sails, did those who were owners of sailing vessels cry out that that was a scheme which destroyed their property and that they must be compensated? So, when the sewing machines (sic) was invented, did any one hear of the tailors coming to the bar of this House, and saying--we cannot make any more breeches, this plaguy machine makes ... pay ... 100,000L.²⁰ The hon. member then cited a large number of cases in which the governments had debased the coin of the realm, or otherwise interfered with the currency to the great spoliation of the people; but without giving them any indemnity, and he again urged that as no indemnity was granted in the cases he mentioned, therefore none could be claimed in the present.²¹ He hoped the resolutions would be thrown out.²²

MR. FELTON pursuing the argument of the two last speakers mentioned the case of the withdrawal of the Timber Duties in England formerly levied in favour of our trade, but which were done away with without any compensation being granted to the Canadians, who suffered so injuriously by the destruction of their trade. He, however, admitted that the present law was an exceptional one, and was not prepared to say absolutely that he would oppose the granting of compensation.²³ He did not say that distillers and brewers should be left wholly unindemnified. He expressed no opinion about that at present, and he did not think this was the time for its

consideration. They were about to try a great national, a great moral experiment, and if it were successful, he for one would not shrink from any of its consequences, be they moral, commercial or pecuniary. But even if it were just that those parties should be indemnified, the time for that had not yet arrived. And who were they that talked most loudly about compensation? Was it not the very men who said the law was a humbug and would be a failure.²⁴ The persons who promoted this demand for compensation were just those enemies of the law, who declared it would be thoroughly inoperative, and that under it the consumption of liquors would proceed in a greater degree than ever. Now, if that were the case--if whiskey was to be drank after the passing of the law more than before, what ground was there for compensation? If it turned out that after the passing of the law, and after it went into operation any loss accrued to individuals, no doubt the Legislature would act liberally, and for his part he would be quite willing to pay whatever was thought just in order to obtain the benefit of this law. He fully acquitted the member for Peterboro of any desire to defeat the bill unfairly. On the contrary, he had shown every desire to avoid obstructing it unfairly, and was convinced that he wanted nothing, but a fair expression of opinion on the abstract principle of compensation. He moved in amendment, that it is not expedient to take any action with reference to this demand for compensation until after the law shall have gone into operation, and a good case shall be made out.²⁵

DR. CLARKE hoped the motion would be granted, in order that the distiller(s) might be able to act fairly in carrying out the law. This they would do, if compensation were granted; but otherwise those gentlemen would naturally be unwilling to give up their business, and try to continue it for the good of their families.²⁶ He considered himself as much a friend of Temperance as the hon. member for Wolfe (Mr. Felton) and did not, like that hon. gentleman, require to introduce a Prohibitory Bill to whitewash his character as a Temperance man.²⁷

The amendment was then carried 51 to 49²⁸ ((OR)) the amendment was withdrawn, so that the vote was 50 to 49 against his resolutions.²⁹

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Mr. Langton moved, seconded by the Honorable Mr. Chabot, and the Question being put, That this House will immediately resolve itself into a Committee to take into consideration the following Resolutions:--

1. *That large amounts of capital have been expended in this Province under the sanction of existing Laws in the erection of Breweries and Distilleries, which, not being easily applicable to other purposes, will become comparatively useless, and their value will be seriously deteriorated by the passing of the Bill for restricting the manufacture and sale of Intoxicating Liquors now before this House.*

2. *That it is unjust that individuals should suffer from the operation of this measure intended for the public welfare, without provision being made to indemnify them for the injury done to their property;*

The House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Alleyn, Bellingham, Blanchet, Cameron, Cartier, Casault, Cauchon, Cayley, Chauveau, Clarke, Crawford, Daly, Charles Daoust, Jean B. Daoust, Desaulniers, Dostaler, Attorney General Drummond, Dufresne, Fergusson, Ferres, Ferrie, Thomas Fortier, Octave C. Fortier, Fournier, Gamble, Guévremont, Hincks,

Labelle, Laberge, Langton, Larwill, Lemieux, Loranger, Lumsden, Macbeth, Attorney General Macdonald, Sir A.N. MacNab, Joseph C. Morrison, Angus Morrison, O'Farrell, Papin, Robinson, Solicitor General Ross, Shaw, Stevenson, Thibaudeau, Turcotte, Whitney, and Yeilding.--(49.)

NAYS.

Messieurs Atkins, Bell, Biggar, Bourassa, Brodeur, Brown, Bureau, Chapais, Chisholm, Christie, Church, Cook, Crysler, Darche, DeLong, DeWitt, Dionne, Felton, Frazer, Freeman, Gill, Gould, Hartman, Huot, Jackson, Jobin, Laporte, John S. Macdonald, Roderick McDonald, Mackenzie, McCann, Marchildon, Matheson, Mattice, Meagher, Merritt, Mongenais, Munro, Niles, Patrick, Poulin, Rolph, James Ross, Sanborn, Scatcherd, James Smith, Somerville, Spence, Terrill, and Wright.--(50.)

So it passed in the Negative.³⁰

Then, on motion of Mr. Jobin, seconded by Mr. DeWitt,
The House adjourned until Monday next.

FOOTNOTES: 28 APRIL 1855.

1. When this petition was presented on JOURNAL page 927, it was recorded as being from the Mayor, Aldermen, and Commonalty of the City of Toronto.
2. LA MINERVE, 5 May 1855.
3. IBID.
4. MORNING CHRONICLE, 30 April 1855.
5. Telegraph (GLOBE, 1 May 1855).
6. Telegraph (GLOBE, 1 May 1855). All telegraphic reports provide the information reprinted in footnotes 5 and 6. In contrast, MORNING CHRONICLE, 30 April 1855, and MORNING CHRONICLE, 3 May 1855, mention that Mr. Langton moved to consider his resolutions on Monday, upon which the debate followed.
7. GLOBE, 10 May 1855.
8. LE PAYS, 5 May 1855.
9. GLOBE, 10 May 1855.
10. IBID.
11. IBID.
12. LE PAYS, 5 May 1855.
13. GLOBE, 10 May 1855. The ellipses represent illegible words.
14. LE PAYS, 5 May 1855.
15. GLOBE, 10 May 1855.
16. LE PAYS, 5 May 1855.
17. GLOBE, 10 May 1855.
18. LE PAYS, 5 May 1855.
19. GLOBE, 10 May 1855.
20. GLOBE, 10 May 1855. The ellipses represent illegible words.
21. MONTREAL GAZETTE, 2 May 1855.
22. GLOBE, 10 May 1855.
23. MONTREAL GAZETTE, 2 May 1855.
24. GLOBE, 10 May 1855.
25. MONTREAL GAZETTE, 2 May 1855.
26. IBID.
27. GLOBE, 10 May 1855.
28. MORNING CHRONICLE, 3 May 1855.
29. MORNING CHRONICLE, 1 May 1855. Newspapers carry conflicting reports regarding the outcome of Mr. Felton's amendment. All newspapers agree with the JOURNALS, however, in reporting the vote of 49 to 50 against Mr. Langton's resolutions.
30. LE PAYS, 5 May 1855 reports that it was close to 6 p.m. when the House voted on Mr. Langton's motion.

MONDAY, 30 APRIL 1855.

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THE following Petitions were severally brought up, and laid on the table:--

By Mr. Thomas Fortier,--The Petition of M. Beaulieu and others, of the Parish of Nicolet.

By Mr. Whitney,--The Petition of Louis Bourdon and others, of the Parish of St. Romuald de Farnham.

By Mr. Laporte,--The Petition of the Reverend J.B. Drapeau, Curé, and others, of the Parish of Longue Pointe, in the District of Montreal.

By the Honorable Mr. Rolph,--The Petition of E. Bingham and others, of the County of Norfolk; and the Petition of John P. Barrett and others, of the County of Norfolk.

By Mr. Turcotte,--The Petition of G. Lemberet and others, of the Parish of Ste. Ursule.

By Mr. Charles Daoust,--The Petition of F.H. Poitras and others, of the Parish of St. Timothée.

By Mr. Papin,--The Petition of L.G. Nolin and others, of the Parish of L'Assomption.

By Mr. Shaw,--The Petition of James Gilhuly and others, of the Township of Montague.

By Mr. Powell,--The Petition of John Dow and others, of the Township of Osgoode; and the Petition of Thomas Garland and others, of the Township of Goulburn.

By Mr. Dostaler,--The Petition of Jacques Fuchs, of the City of Quebec.

By Mr. Hartman,--The Petition of William A. Wallis and others, of the Counties of York and Peel.

By Mr. Langton,--The Petition of F.W. Henshaw, of the City of Montreal, Inspector of Pot and Pearl Ashes; the Petition of W. Hall and others, of the County of Peterborough; the Petition of James Hall and others, of the County of Peterborough; and the Petition of Hoyes Lloyd and others, of the County of Peterborough.

By Mr. Foley,--The Petition of F.A. Potter and others, of the Town of Berlin, County of Waterloo; and the Petition of William McMahon and others, of the County of Waterloo.

By the Honorable Mr. Cameron,--The Petition of M. Perdue and others, of the County of Peel; and the Petition of Messieurs Baines and Thompson, and others, of the City of Toronto, Brewers.

By Mr. Solicitor General Smith,--The Petition of L. Vincent, of the Parish of St. Fidèle.

By Mr. Mackenzie,--The Petition of Edwin A. Burrowes and others, Clerks of Division Courts for the United Counties of Frontenac, Len((n))ox and Addington; the Petition of James B. Smith and others, of the Townships of Canborough and Walpole, in the County of Haldimand; and the Petition of Hugh Campbell and others, of the Township of Lancaster, in the County of Glengarry.

By Mr. Brown,--The Petition of Thomas Craig and others, of the Townships of Megantic and Leeds.

Pursuant to the Order of the day, the following Petitions were read:--

Of William McAdam and others, of the Township of Pakenham; of Wolfred Nelson, Mayor, and others, of the City of Montreal; of Dougald Fraser and others, of the Parish of St. Jérôme de Matane; and of R. Canfield and others, of the Parish of

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Lacolle; praying that a permanent Seat of Government may be established.

Of Thomas C. Keefer, Civil Engineer, of the City of Montreal; praying that a clause may be inserted in any Act that may be sought for by the Grand Trunk Railway Company, empowering all parties having legal claims against the Directors or Provisional Committees of the late Montreal and Kingston, and the Kingston and Toronto, Railway Companies, to maintain the same against their successor, "The Grand Trunk Railway Company of Canada."

Of A. Gugu and others, of the City of Quebec; praying that a competent tribunal may be appointed to determine with speed and equity what compensation should be paid by the Corporation of the said City for the property of individual Citizens which the said Corporation are empowered by law to take for public purposes.

Of Richard Freeman, of the Parish of St. Ambroise, Tanner; representing that on the 6th October, 1853, the Mayor and Councillors of the City of Quebec took possession of Real Estate belonging to him; that the said Estate was subsequently valued by Arbitrators, mutually appointed, at 981L, which the said Mayor and Council refused to pay, but referred the matter to the Court of Quarter Sessions, where it still remains undecided; and praying that a tribunal more competent than the Quarter Sessions may be appointed to adjudge with speed and equity, in cases of this nature, between the Corporation and the Citizens.

Of Mrs. E. Taschereau and others, Directresses of l'Hospice de St. Joseph de la Maternité de Québec; praying for an aid.

Of John Gartshore and others, of the Town of Dundas; praying that power may be given to the Great Western Railway Company to run their Steam vessels between Hamilton, Toronto, and Oswego.

Of the Town Council of the Town of Guelph; praying that the Bill now before the House, to separate certain Towns from Municipal Councils, and to make the same independent Corporations, may become Law, and that the Town of Guelph may be included therein.

Of the Reverend Thomas Snell and others, of the County of Northumberland; of William Skelley and others, of the Township of Oakland, in the County of Brant; of Thomas Short and others, of the Township of Otonabee, in the County of Peterborough; of William Learmouth and others, of the County of Peterborough; of George Hamilton and others, of the County of Perth; of J.W. Parmenter and others, of the Village of Gananoque and vicinity, in the County of Leeds; of Abraham Nash and others, of South Cayuga and other Townships in the County of Haldimand; of Duncan Campbell and others, of the Township of Cayuga, in the County of Haldimand; of William Purdey and others, of the County of Grey; of C. Latshaw and others, of the County of Brant; of W. Holmes and others, of the County of Haldimand; of James Black and others, of the Townships of Guelph and Eramosa, in the County of Wellington; and of Shubael D. Malcolm and others, of the County of Brant; praying that the discretionary power of commutation may not be exercised in carrying out the provisions of the Clergy Reserves Act.

Of Adam Brown and others, of Queenston, St. Catherines, and vicinity; praying for an Act of incorporation to construct a Railway from the Queenston Suspension Bridge, to St. Catherines.

Of Joseph Adam, of the City of Quebec, Superintendent of Government Wharves in Lower Canada; representing that the Superintendents of Piers on the south side of the St. Lawrence have received certain extra salary and indem(n)ification; and praying that the same extra indemnification may be extended to him.

Of the Reverend A. Beaudry and others, School Commissioners, of the Parish of St. Etienne de La Malbaie; praying for an aid.

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Of A. Gagnon and others, of the Parish of St. Paul's Bay, in the County of Saguenay; praying an aid for a School House.

Of the Quebec Board of Trade; praying that the Bill now before the House, in relation to Foreign Insu(r)ance Companies and Insurance Agents, may not become law.

Of J.P. Proux, Mayor, and others, of Ste. Marie de la Nouvelle Beauce; representing that the high waters, in the spring, of the River Chaudière, causes great damage to the high road which runs through the Village of Ste. Marie; and praying that the Board of Works may be authorized to take such steps as may be necessary to prevent the same.

Mr. Sidney Smith, from the Special Committee appointed for the purpose of investigating all charges preferred or alleged in this House, or elsewhere, respecting the dealing of any Member or Members of the late Administration in the purchase of Public Lands, in the traffic or purchase of Provincial, Municipal, or other Public Securities or Stocks, or Stocks in Railways, in the construction of Public Works, either Foreign or Provincial, and respecting any other charges of official misconduct whatever, against them or any of them, presented to the House the Report of the said Committee; which was read.

For the said Report, see Appendix (A.A.A.)¹

Sur motion de MR. HARTMAN²,

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Ordered, That the said Report, and the Evidence accompanying the same, be printed for the use of the Members of this House.

Mr. Langton, from the Standing Committee on Standing Orders, presented to the House the Thirty-third Report of the said Committee; which was read, as followeth:--

Your Committee have examined the Petition of the Provisional Council of the County of Welland, and find that due Notice has been given.

The Petition of J. Counter and others, Trustees of the Kingston General Hospital, for certain amendments to their Act of Incorporation, is not of such a nature as to require the publication of Notice.

On the Petitions of the Municipality of the Township of Eldon, for a survey of the line between the tenth and eleventh Concessions of that Township; and of the Grand Trunk Railway Company of Canada, for authority to change the location of their line through the City of Toronto; Your Committee find that no Notice has been given.

Ordered, That Mr. Frazer have leave to bring in a Bill to authorize the Municipal Council of the County of Welland to raise means to liquidate certain debts and claims against the said County, and for other purposes.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Thursday next.

Mr. Felton reported from the Select Committee on the Bill to amend the Prerogative Writs Act, and to make new provision respecting Writs of Scire Facias, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Bill and Report be committed to a Committee of the whole House, for Monday next.

*On motion of the Honorable Mr. Cameron, seconded by Mr. Jackson,
Ordered, That the Select Committee on the Argenteuil Election Petition have
leave to adjourn until Friday next, at Ten o'clock in the forenoon, in consequence*

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*of the illness of the Counsel for the Sitting Member, and with the consent of the
Petitioner.*

*On motion of Mr. Sidney Smith, seconded by Mr. Munro,
Ordered, That the 71st Rule of this House be suspended as regards the Bill to
amend the Acts incorporating the Cobourg and Peterborough Railway Company, and to
authorize the construction of a Branch thereof to Marmora.*

MR. MACKENZIE moved to refer the Petition of Phillip Troeller of Walpole, praying for a grant of land, to a Select Committee, to enquire and report thereon. In supporting the motion, he said that a Government, which had recognized such a trumped up claim as that of Clarke Gamble's, could scarcely refuse the petition of a bona fide old soldier, who had fought at Waterloo.³

The motion, however, was resisted by the Government and was lost, on a division.⁴

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Mr. Mackenzie moved, seconded by Mr. Hartman, and the Question being put, That the Petition of Philip Troeller, of the Township of Walpole, County of Haldimand, praying for a grant of Land for his services in the King's German Legion, be referred to a Select Committee, composed of Mr. Frazer, Mr. Christie, Mr. Scatcherd, Mr. Foley, and the mover, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records; the House divided:--And it passed in the Negative.

MR. MACKENZIE moved "That the Clerk be directed to furnish this House with a list of the Petitions against the discretionary Commutation scheme, showing the place whence each Petition emanated, the number of signatures to it, and the name of the member who presented it." The hon. member read extracts from the Hamilton Spectator, and the Dundas Warder, organs of the hon. Premier, and the Postmaster General, to the effect that the agitation against commutation had been confined to a very few counties, and that the names adhibited to them were chiefly those of boys and non-electors, and in no way represented the feeling of the country. All he wanted was that the facts should be fully known, and the absurdity of such statements would be clearly seen. If the Government wanted to suppress the facts they had only to vote his motion down, and that fact too would go to the country.⁵

The motion passed without a dissenting voice.⁶

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*On motion of Mr. Mackenzie, seconded by Mr. Aikins,
Ordered, That the Clerk do furnish this House with a List of the Petitions
against the discretionary Commu((ta))tion Scheme, shewing the place whence each
Petition emanated, the name of the Member who introduced it, and the number of the
signatures to each Petition.*

Mr. Mackenzie moved, seconded by Mr. Christie, and the Question being put, That the Clerk of this House be directed to revive the ancient practice of stating in the Journals, and on the Minutes, the number of Signatures attached to each Petition received by this House;

The motion was opposed on the ground that another Clerk would be required to count the names, and that no good end would be served by reviving the practice⁷.

After some conversation⁸--

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The House divided:--And it passed in the Negative.

Mr. Mackenzie moved, seconded by Mr. Hartman, and the Question being put, That the 67th Rule of this House be suspended so far as it would effect the Petition of David Paterson and others, Trustees of the Toronto General Burying Ground, and of the Municipality of Yorkville and others, praying for the passing of an Act to authorize the Trustees to sell or lease the said Burying Ground and to apply the proceeds to the purchase of a site for a Public Cemetery: the House divided:--And it was resolved in the Affirmative.

Mr. Joseph Curran Morrison moved,⁹ seconded by Mr. Chisholm, That the 71st Rule of this House be suspended with regard to all Bills referred to the Standing Committee on Railroads, Canals, and Telegraph Lines, since the twenty-first instant; the House divided:--And it was resolved in the Affirmative.

Ordered, That the Honorable Mr. Chauveau have leave to bring in a Bill to facilitate the sale of Immoveables charged with hypothecs in cases in which the proprietor of such Immoveables is unknown.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Thursday next.

MR. FERRES moved the reference of the petition of Mr. H.G. Hall to the Committee appointed to investigate the claims of Mr. Justice Power and Mr. Hearn to be paid their expenses as Commissioner and Clerk in the Megantic Election contest. This contest had been brought prematurely to a close, as hon. members would remember by a dissolution of the House. Mr. Hall had been called away from his house in Megantic and kept waiting before the Committee for a long time--by an order of the House--and he was fairly entitled to compensation.¹⁰

MR. AT. GEN. DRUMMOND said this case was not analogous with that of Messrs. Power and Hearn. These gentlemen were formally appointed by the House and ordered to take the evidence, but Mr. Hall had been summoned as a witness in behalf of one of the parties to the contest. He should look to him for his pay.¹¹

MR. SOL. GEN. D. ROSS thought the petition should be referred and the petitioner paid by the House. The Courts had decided he had no recourse against the party summoning him because the Committee had delivered no decision. That decision was prevented by the act of the Government, and the House ought not to allow these witnesses to suffer loss because they obeyed an order of the House to appear before the Committee.¹²

After some further conversation the motion was lost on a division.¹³

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Mr. Ferres moved, seconded by Mr. Sanborn, and the Question being put, That the Petition of Hammond Gowen Hall, of the Township of Leeds, County of Megantic, praying for the payment of a certain amount, being expenses and losses incurred by him in attending as a witness before an Election Committee of the House in compliance with a summons requiring the same, be referred to the Select Committee to which was referred the Petition of William Power, Esquire, of the City of Quebec, Circuit

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Judge; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Blanchet, Brodeur, Casault, Chabot, Chapais, Chauveau, Church, Charles Daoust, Jean B. Daoust, Desaulniers, Antoine A. Dorion, Felton, Ferres, Thomas Fortier, Octave C. Fortier, Gill, Jobin, Labelle, Loranger, Mackenzie, Angus Morrison, Poulin, Pouliot, Prévost, Rankin, Rhodes, Solicitor General Ross, James Ross, and Turcotte.--(29.)

NAYS.

Messieurs Alleyn, Bell, Biggar, Brown, Cameron, Cartier, Chisholm, Clarke, Cook, Crawford, Crysler, Daly, Darche, DeLong, DeWitt, Attorney General Drummond, Ferrie, Foley, Fournier, Frazer, Gamble, Gould, Hartman, Jackson, Langton, Larwill, Lumsden, Macbeth, John S. Macdonald, Roderick McDonald, Sir A.N. MacNab, McCann, Masson, Matheson, Mattice, Merritt, Mongenais, Munro, Murney, Niles, Sanborn, Scatcherd, Shaw, Solicitor General Smith, Sidney Smith, James Smith, Spence, Stevenson, Thibaudeau, Whitney, Wright, and Yeilding.--(52.)

So it passed in the Negative.

MR. PAPIN moved to refer the petition of Eugene Philippe Dorion, Esquire, praying for payment of his account as clerk of the Commission appointed by the Committee((e)) on the Kamouraska Contested Election, to the Special Committee appointed to examine the petitions of the Hon. Mr. Power and ____ Hearn, Esquire, to examine the same and report thereon, with power to send for persons, papers, and records.¹⁴

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Ordered, That the Petition of Eugène Philippe Dorion, Esquire, of the City of Quebec, Advocate, be referred to the Select Committee to which was referred the Petition of William Power, Esquire, of the City of Quebec, Circuit Judge.

A Bill to incorporate the L'Assomption River and Railroad Company, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to incorporate the L'Assomption River and Railway Company."

Ordered, That Mr. Dufresne do carry the Bill to the Legislative Council, and desire their concurrence.

MR. FELTON having moved the third reading of the bill to prohibit the traffic in intoxicating liquors,¹⁵

MR. LORANGER se lève pour une question d'ordre. Il croit que le bill ne peut être passé, parce qu'il affecte le commerce directement, et que les bills de cette

nature doivent être présentés par un comité de toute la chambre, et non par un membre individuellement. Il y a une règle parlementaire qui dit que les bills affectant le commerce ou la religion doivent originer dans un comité général, et cette règle a toujours été suivie par la chambre des communes en Angleterre; l'intérêt du peuple en général exige qu'elle soit suivie ici comme elle l'est en Angleterre. Il cite ensuite cette règle et plusieurs précédents de bills affectant le commerce en Angleterre, qui ont été renvoyés après leur seconde lecture, parce que cette règle n'avait pas été suivie, et qui furent ensuite représentés par un comité général.¹⁶ The most remarkable of these was a bill regulating the sale of beer and bread. He showed that Sir Robert Peel and all the modern parliamentary authorities had constantly sustained the rule. Surely if a bill merely relating to the regulation of the sale of beer and bread came under this rule, the present bill must do so by much stronger reason. The rule was only a technical one, but it was founded in common sense, and was evidently intended to prevent wild fancies from being adopted on important subjects without due consideration, before even bills were begun.¹⁷ Il a devant lui sept ou huit gros volumes parlementaires dans lesquels il peut citer un grand nombre de précédents qui prouvent que cette règle a toujours été suivie en Angleterre, et il demande à l'Orateur s'il permettra que ce bill, qui affecte directement le commerce en en retranchant une branche, et qui affecte en même temps les revenus de la province, soit passé sans qu'il ait été d'abord proposé par un comité de toute la chambre.¹⁸

MR. J.S. MACDONALD (Glengary) said the opponents of the measure had reserved this objection to the very last, intending it as a death-blow to a measure which they could not but acknowledge was loudly called for by the public. He did not, however, look upon it as possessed of weight. The first branch of the objection was that the measure affected the revenue. But he apprehended that could not be sustained, as manufacture and importation being still allowed, they could not say how far the revenue from those sources would suffer. As to its affecting trade, the hon. gentleman had quoted English precedents, but without going to England they could find in the Parliamentary history of this country laws of much more importance to the trade of the Province than one affecting the sale of intoxicating liquors to which the rule had not been applied. Mr. Macdonald proceeded to mention several laws of this nature ... which had been passed since the Union, and had not originated in committee.¹⁹ Par exemple, le bill pour régler le commerce du bois de construction, qui a été passé en 1842; le bill qui a été passé pour régler les ventes par encan affectait le commerce, parce qu'il accordait un droit de un pour cent aux encanteurs sur les ventes qu'ils font, et parce qu'il obligeait d'avoir des licences pour vendre par encan. Et ces deux bills n'ont pas été présentés par un comité de toute la chambre, mais bien par des membres individuellement. Le bill pour régler l'inspection de la potasse, et le bill des pêcheries affectaient aussi le commerce²⁰.

MR. CAMERON said he had given the question some thought, and had come to exactly the same conclusion as the hon. member for Laprairie (Mr. Loranger) in regard to the force of the objection, both as it related to trade and revenue. And there was the further objection to the Bill that it clashed directly with the Imperial Statute, 14 Geo. III, which appropriated the revenue arising from Tavern Licences to the fund for defraying the expenses of the administration of Justice. He did not see how it could be denied that the Bill interfered with trade. The hon. member for Glengary had quoted certain other Bills, interfering with trade, which had passed the House without having originated in Committee, but in those cases the objection had not

been raised. Had the objection been made and over-ruled, there would have been a case in point, but not otherwise. But no Bill could more directly affect trade than this one. It was not merely a Bill regulating trade, but it amounted to an absolute prohibition of one branch of trade. None were allowed to sell, except certain licensed agents, and as their licences might be given or withheld by municipalities at pleasure, it was in the power of those municipalities to prohibit that branch of trade altogether. It would be impossible to point out any measure affecting the trade of the country, if this one did not.²¹

MR. BROWN said it could not be denied that the English rule was such as had been laid down by the hon. member for Lapra((i))rie, supported by the learned member for Toronto, although the rule was often broken through even in England. But he contended that it had never been the rule in Canada. (Hear, hear.) He had always contended that it should be the rule, but on several occasions it had been decided against him, as well by the present Speaker, as by the late Speaker. Throughout last Parliament it was the invariable practice that that rule should not extend to matters of trade. During the former part of this session, he (Mr. Brown) raised the objection to the Ashes Bill, and the Speaker over-ruled it from our own printed Rules, drawing a distinction between the application of the rule, as it affected granting a subsidy, and as it affected trade.²²

MR. SICOTTE the SPEAKER.--So far as I recollect, the question of order was whether the Ashes Bill did not impose a burden on the people by creating a pension for Mr. Leprohon, and I ruled that it did not.²³

MR. BROWN.--The objection went beyond that--I objected that the Ashes Bill very essentially affected trade.²⁴

MR. SICOTTE the SPEAKER.--The question whether or not it affected trade was not then raised.²⁵

MR. BROWN said that from his own recollection, he could say positively, that the circumstance of the Bill's affecting trade formed part of the objection which he raised, but was over-ruled. But he could bring up another case more in point. In last Parliament there was the Assessment Bill, changing the whole assessment system of Upper Canada, and placing it on an entirely different footing. He (Mr. B.) took the same objection to it as had been taken in the present instance, but was over-ruled. There was also a Bill relating to Bills of Exchange, and affecting the whole trade of the Province, a Bill to regulate the currency, the Excise Duties Bill, the Bill relating to the Fisheries, the Bill to estab((l))ish standard weights for grain, the Joint Stock Companies Bill for Manufacturing purposes, which very materially affected trade; then there were half a dozen Bills affecting the shipping of seamen, a Bill to regulate stevedores, and many others which did not or((i))ginate in Committee. There was the Usury Law also to which this very exception was taken, but was over-ruled. But there were two Bills before last Parliament which he thought decided the matter. One of these was a Bill to regulate Tavern Licenses. The other was a Bill to prohibit the sale of Intoxicating Liquors on the line of public works, and either on that Bill or on the general measure to prohibit the sale of Intoxicating Liquors which was lost, it would be recollected that the gallant Knight, the member for Hamilton, first raised the objection that it was a money Bill and required the assent of the crown before being introduced; and failing that he again objected that it affected the trade of the country, and should have originated

in Committee of the Whole; but that also was overruled. In looking over the journals of the last Parliament he could not find one case in which a Bill of this character originated in Committee of the whole. (Hear, hear.) He had himself raised the objection several times, but it had always been overruled. (Hear, hear.) And he did think it would be as unfair as irregular to commence applying it to this Bill, after it had been before the country so long, and had now reached its third reading. There was less necessity for the application of such a rule in this case, than in almost any other that could be conceived of. The object of the rule was that the country might be fully aware of every measure before it passed, and to impose a check on hasty legislation, but the present Bill had been before the country for two or three years, and there could be no harm in overruling the objection in this case, especially, as it had never before been recognized in Canada. He would readily vote for establishing the rule that all important Bills affecting trade should commence in Committee of the Whole in future; but he would think it very hard, and very unfair if it were to be for the first time applied to the present Bill. One or two other instances occurred to him before sitting down. A few days ago, the Inspector General introduced a Bill to amend the Customs Tariff Act. I objected that it should have originated in Committee, but the answer was that it would not affect the revenue, but would leave it as it was and that answer was sustained though clearly it affected trade. It was only, when in it was discovered that the Bill did impose a tax on the people, that the Bill was sent into committee. There was a Bill also introduced into the last Parliament by Mr. Sicotte (the present Speaker) to prevent the sale of intoxicating liquors, and it got the length of a second reading, without having originated in Committee. Another Bill introduced by the Attorney General East in regard to Intemperance, was passed in 1851, without having originated in Committee. The objection that the Bill affected the revenue, could not, he thought, be sustained, for it reduced the burdens on the people, and imposed no new ones, and the Speaker had several times decided that where a measure merely reduced the revenue, and imposed no new burdens, the rule of going into Committee did not apply.²⁶

MR. FELTON contended that the point of order could not be maintained. The motion for the third reading of the Bill was according to parliamentary usage, and all the precedents cited by the hon. gentlemen who raised the objection, were authorities in his favor. The Bill was not one that affected trade within the meaning of those authorities.²⁷ ((He)) did not think it right to adopt English rules not specifically enacted for the guidance of our own parliament. And the rule not being in our books, it was plainly not intended to adopt it entirely. Even in the House of Commons it was not uniformly enforced to the full extent.²⁸

MR. MACKENZIE said that nothing could be more clear than that the practice of the Parliament of Canada had been strictly followed in the case of the present Bill. A number of precedents had been mentioned, to which he could add, if necessary, several others. In 1850 a Bill entitled "an Act to amend the laws relating to Tavern Licenses in Upper Canada," was brought in in the ordinary way, and passed through all its stages, without having originated in committee, although no one could deny that it directly affected the Liquor Trade. He could not look upon the Bill as one affecting the revenue by imposing burdens on the people. Its object was to take off those burdens, and to destroy the deadly poison which was ruining the health and prosperity of the community. He did not like this method of raising technical objections by jumping to British practice to-day and to Canadian practice to-morrow, until a plain man did not know which to follow. For his own part he

preferred sticking to Canadian practice, according to which this Bill had reached its present state quite regularly.²⁹

MR. SICOTTE the SPEAKER then gave this decision on the point of order raised by Mr. Loranger. He said that the³⁰ 31st³¹ rule of this House was that in all unprovided cases reference should be made to the practice in the House of Commons, until this House should make a rule for itself. The standing order of the Commons of England of 1772 enacted that Bills relating to Trade, or altering the Laws concerning Trade, be not brought into the House, until the proposition should have been first considered in a Committee of the whole House. The practice of the House of Commons had not been uniform at all times, but whenever the objection was taken that this standing order had not been observed, the only question was whether the Bill really related to trade, and the Speaker always directed that the standing order should be observed.³² In the case of the beer & bread bill, the Speaker decided that it fell under the rule.³³ May cited different cases in which the standing order relating to trade were held to apply not only to trade generally, but to any particular trade if directly affected by the Bill.³⁴ In the same way the rule in Canada had not been strictly applied, but he believed that with respect to many of the cases cited, the rule did not cover them under the interpretations which were put upon the rule in England.³⁵ The Timber Bill which had been referred to did not directly affect the trade. The Auction Sales Bill was one affecting the revenue, and if the objection had been taken that some of the clauses imposed duties, he believed it would have been ruled that such clauses should be considered by resolution in committee of the whole. The Bill prohibiting the sale of Liquor on Public Works was not a case in point, because it only referred to the sale of liquors at determined spots, and only affected their sale on particular works. The Potash Bill had been alluded to by the hon. member for Lambton, but the question raised there, was not whether it affected trade, but whether by the pension to Mr. Leprohon it created a charge on the people, and he had ruled that it did not. The Bill he himself (the Speaker) had introduced was not of the same nature as the present Bill, and it was only introduced and never reached the second reading, and no objection was made to it, although he was free to admit, from the examination he had now made of the rules and usages of Parliament, that the objection would have been applicable to that Bill if it had been made. As it was now his duty to ... declare what the rule was, he decided that the Bill before the House, regulating the sale of all intoxicating liquors, was a Bill relating to trade and altering the laws concerning trade, and came within the meaning of the standing order, and should therefore have originated in committee of the whole.³⁶ (Cheers.)³⁷

MR. FELTON.--Not concurring, Mr. Speaker, in your decision, I appeal from it to the House.³⁸

On a vote being taken, the Speaker's decision, the effect of which was to throw out the Bill, ... was sustained³⁹.

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The Order of the day for the third reading of the Bill to prevent the traffic in Alcoholic and Intoxicating Liquors, being read;

And objection being taken, that the Bill related to Trade, and ought to have originated in a Committee of the whole House; Mr. Speaker stated, that by the 31st Rule of the House, in all unprovided cases, the Rules of the Parliament of Great Britain should be followed, and the Standing Order of the Commons of England, of

1772, declared that Bills relating to Trade be not brought into the House, until the proposition should have been first considered in a Committee of the whole House; and, as his duty was to declare what the Rule was, he decided that the Bill before the House, regulating the sale of all Intoxicating Liquors, was a Bill relating to Trade, and altering the Laws concerning the Trade, and came within the meaning of the Standing Order: and he further stated that the practice in the House of Commons had not been uniform, but that when the objection had been taken, the Rule had always been enforced.

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And an appeal being made from Mr. Speaker's decision; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Alleyn, Blanchet, Brodeur, Burton, Cameron, Cartier, Casault, Cauchon, Chabot, Chapais, Chauveau, Clarke, Cryslar, Charles Daoust, Jean B. Daoust, Dionne, Antoine A. Dorion, Dostaler, Attorney General Drummond, Dufresne, Fergusson, Ferrie, Foley, Thomas Fortier, Octave C. Fortier, Fournier, Gamble, Gill, Guévremont, Hincks, Huot, Labelle, Laporte, Larwill, LeBoutillier, Lemieux, Loranger, Attorney General Macdonald, Sir A.N. MacNab, McCann, Marchildon, Masson, Mongenais, Joseph C. Morrison, Angus Morrison, Murney, O'Farrell, Papin, Prévost, Rankin, Rhodes, Robinson, Solicitor General Ross, Shaw, Solicitor General Smith, Thibaudeau, Turcotte, Whitney, and Yeilding.--(59.)

NAYS.

Messieurs Aikins, Bell, Biggar, Bourassa, Brown, Bureau, Chisholm, Christie, Church, Cook, Crawford, Daly, Darche, Delong, Desaulniers, DeWitt, Felton, Frazer, Freeman, Gould, Hartman, Jackson, Jobin, Langton, Lumsden, John S. Macdonald, Roderick McDonald, Mackenzie, Matheson, Mattice, Merritt, Munro, Niles, Poulin, Pouliot, Roblin, Rolph, James Ross, Sanborn, Scatcherd, Sidney Smith, James Smith, Somerville, Spence, Terrill, and Wright.--(46.)

So the decision of Mr. Speaker was confirmed.

MR. FELTON said that this having been the first instance in which the rule had been applied, he was desirous of testing the House whether they really desired to throw out the Bill for this session by moving that the rule be dispensed with as far as this Bill was concerned.⁴⁰

After some conversation, as it was urged that this motion could not be put without notice,⁴¹

MR. FELTON withdrew the motion, giving it as a notice for a future day.⁴²

MR. SICOTTE the SPEAKER said that according to Parliamentary practice, the decision having been given and sustained by the House, the hon. member should move that the order for the third reading be discharged, and withdraw the Bill.⁴³

MR. FELTON not seeming disposed to take the course thus suggested,⁴⁴ ((OR)) declining to take this course,⁴⁵

MR. LORANGER, seconded by MR. CAMERON moved that the said order be discharged, and that the Bill be withdrawn.⁴⁶

MR. MACKENZIE said that if any one had told him that it was possible by lawyers' quirks and quibbles to throw out a Bill of this sort, on which the hearts of the people were set, he could not have believed it. The Bill had been deliberated upon by two Parliaments, and engaged the best attention of Committees upon Committees, and now when it was on the eve of finally passing, it was to be thrown out, because there was something about trade in it. He was not surprised, however, at the Speaker's decision, as it was well known that he had always been opposed to the measure, and his mind was as liable to an unconscious bias as the minds of others in similar circumstances. (Chair! chair.) He was unwilling that by an accidental majority of five or six on a technical question of this sort, the Bill should be lost for the session, and he saw no reason in the world why the order should be discharged. Would it not be enough, if any portion of the Bill that required it went into committee, without throwing out the Bill itself for the session?⁴⁷

MR. SANBORN made some remarks on the unseemliness of the member for Laprairie taking the Bill out of the hands of the gentleman who had had charge of it, and moving that it be withdrawn.⁴⁸

MR. LORANGER was a young man in parliamentary tactic. He would be sorry to act discourteously towards any honorable member, but wished to save the honorable member for Sherbrooke from the disagreeable necessity of killing his own child.⁴⁹ But he was willing to withdraw the motion if the hon. member himself would move it.⁵⁰

MR. BROWN said he apprehended there was but one course to pursue, after the decision given by the Chair and confirmed by the House, and that was to withdraw the Bill. But he would not advise the hon. member to consider the measure as dead for the session. Let him give notice to-night for starting it again, and if there was a majority in the House really in favour of the Bill, let them unite to push it through this Session by making it a Special order every night until it passed its several stages. (Cheers.)⁵¹

MR. FELTON then withdrew the bill.⁵²

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*On motion of Mr. Felton, seconded by Mr. Brown,
Ordered, That the said Order of the day be discharged.*

MR. FELTON immediately ... ((gave notice that)) on Wednesday next ((he would move)) that the House do then resolve itself into a Committee of the Whole to consider the expediency of passing a Law to prevent the Traffic in Alcoholic and Intoxicating Liquors.⁵³

MR. FELTON ... ((gave notice that)) on Wednesday next ((he would move a)) Bill to prevent the Traffic in Alcoholic and Intoxicating Liquors.⁵⁴

MR. FELTON ... ((gave notice that)) on Wednesday next ((he would move)) that the 51st and 57th Rules of this House be suspended, in so far as relates to the Bill to prevent the Traffic in Alcoholic and Intoxicating Liquors.⁵⁵

(958)

The Order of the day for the third reading of the Bill to extend and continue the Act, intituled, "An Act to provide for the accommodation of the Courts of Superior Jurisdiction in Upper Canada," and for other purposes, being read;

Mr. Solicitor General Smith moved, seconded by the Honorable Mr. Attorney General Macdonald, and the Question being put, That the Bill be now read the third time; the House divided: and the names being called for, they were taken down, as follow:--

(958-959)

YEAS.

Messieurs Aikins, Alleyn, Bell, Bellingham, Blanchet, Brodeur, Brown, Cameron, Cartier, Casault, Cauchon, Chapais, Chisholm, Clarke, Crawford, Crysler, Jean B. Daoust, Desaulniers, Dionne, Attorney General Drummond, Dufresne, Ferrie, Foley, Thomas Fortier, Octave C. Fortier, Fournier, Gamble, Gill, Guévremont, Hartman, Hincks, Jackson, Langton, Laporte, Larwill, Lemieux, Attorney General Macdonald, Sir A.N. MacNab, McCann, Marchildon, Mongenais, Joseph C. Morrison, O'Farrell, Pouliot, Rhodes, Robinson, Roblin, Rolph, Shaw, Solicitor General Smith, Somerville, Spence, Terrill, Thibaudeau, and Whitney.--(55.)

(959)

NAYS.

Messieurs Biggar, Church, DeLong, DeWitt, Jobin, Lumsden, Mackenzie, Mattice, Merritt, Munro, Scatcherd, and Wright.--(12.)

So it was resolved in the Affirmative.

The Bill was accordingly read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Solicitor General Smith do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to incorporate the Canada, Newfoundland and London Telegraph Company, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act granting certain privileges to the New York, Newfoundland and London Telegraph Company."

Ordered, That the Honorable Mr. Attorney General Macdonald do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to repeal the Act confirming a certain allowance for Road in the Township of Monaghan, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Solicitor General Smith do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to amend the provisions of the Act 16 Vic. cap. 54, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to amend the Act authorizing the Town of Dundas to become security to a certain amount for the Desjardins Canal Company, to the Great Western Railway Company,"

Ordered, That the Honorable Mr. Spence do carry the Bill to the Legislative Council, and desire their concurrence.

Mr. Burton reported the Bill to incorporate certain persons under the name and style of the Stratford and Huron Railway Company; and the amendments were read, and agreed to.

Ordered, That the Bill be read the third time To-morrow.

Mr. Bowes reported the Bill to incorporate the Provident Life Insurance and Investment Company; and the amendments were read, and agreed to.

Ordered, That the Bill be read the third time To-morrow.

Mr. Munro reported the Bill to amend the Act relating to Land Surveyors; and the amendments were read, and agreed to.

Ordered, That the Bill be read the third time To-morrow.

Mr. Terrill, from the Committee of Supply, reported a Resolution; which was read, as followeth:--

Resolved, That the sum of Five thousand pounds be granted to Her Majesty, to defray certain expenses connected with the Paris Exhibition.

The said Resolution, being read a second time, was agreed to.

MR. CAMERON moved the House into committee on ... ((the)) bill⁵⁶ to amend the Municipal Corporation Acts of Upper Canada⁵⁷, which had been prepared upon the resolutions of a select committee, with a view to the consolidation of the municipal law of Upper Canada.⁵⁸

MR. AT. GEN. J.A. MACDONALD, MR. SOL. GEN. H. SMITH, and MR. POST. GEN. SPENCE opposed the motion, as they desired to have time to see the bill and obtain an expression of opinion upon it⁵⁹.

On the remonstrance of several gentlemen from Upper Canada, who said the bill hardly made any alteration in the present law, but merely consolidated and simplified it,⁶⁰

((MR. AT. GEN. J.A. MACDONALD, MR. SOL. GEN. H. SMITH, and MR. POST. GEN. SPENCE)) withdrew their objection⁶¹.

The House having gone into committee, passed through a number of the clauses of the bill, omitting for the present those which involved any doubt.⁶²

(960)

The House, according to Order, resolved itself into a Committee on the Bill to amend the Municipal Corporation Acts; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Foley reported, That the Committee had made some progress, and directed him to move for leave to sit again.

Ordered, That the Committee have leave to sit again on Monday next.

*Then, on motion of Mr. Brown, seconded by Mr. Hartman,
The House adjourned.*

APPENDIX: 30 APRIL 1855.

((NOTICE OF MOTION RE: ELECTION OF JURORS IN LOWER CANADA.))

MR. HUOT ((donne avis que)) mercredi prochain ((il fera motion pour un)) Bill pour que les juges des différentes cours de justice dans le Bas-Canada soient à l'avenir élus par les membres du barreau.⁶³

((NOTICE OF MOTION RE: ELECTION OF CLERKS OF THE COURT, PROTHONOTARIES AND SHERIFFS.))

MR. HUOT ((donne avis que)) mercredi prochain ((il fera motion pour un)) Bill pour que les greffiers, protonotaires, shérifs dans les cours de justice du Bas-Canada soient élus à l'avenir par les membres du barreau et dans les endroits où ils occupent leur emploi.⁶⁴

((NOTICE OF MOTION RE: DIRECTORS OF CHAMBERS OF COMMERCE IN LOWER CANADA.))

MR. HUOT ((donne avis que)) mercredi prochain ((il fera motion pour un)) Bill pour amender les divers actes d'incorporation des bureaux du commerce dans le Bas-Canada, dans le but d'augmenter le nombre de voteurs qui en élisent les directeurs.⁶⁵

((NOTICE OF MOTION RE: ELECTION OF CUSTOM AND HARBOUR OFFICERS.))

MR. HUOT ((donne avis que)) mercredi prochain ((il fera motion pour un)) Bill pour que les inspecteurs et collecteurs de douane ainsi que les maîtres de havres dans le Bas-Canada soient électifs ou élus par les différents bureaux de commerce où ils occupent leur emploi.⁶⁶

((NOTICE OF MOTION RE: MEMBERS' INDEMNITY.))

MR. J. SMITH (Victoria) ((donne avis que)) mercredi prochain ((il fera motion pour un)) Bill pour amender l'acte 12 Vict. chap. 33, section 1, de manière à ce que l'indemnité allouée aux membres par jour soit discontinuée après les cent jours à dater du commencement de la session.⁶⁷

((NOTICE OF MOTION RE: SMALL CAUSES.))

MR. PAPIN ((donne avis que)) samedi prochain ((il fera motion pour un)) Bill pour amender l'acte qui pourvoit à la décision sommaire des petites causes du Bas-Canada.⁶⁸

((NOTICE OF MOTION FOR AN ADDRESS RE: WAR OF 1812.))

MR. PRES. EX. COUN. MACNAB ((donne avis que)) demain ((il proposera une)) Adresse à sa majesté relativement aux médailles pour la milice durant la guerre de 1812, 13 et 14 avec les États-Unis d'Amérique.⁶⁹

((NOTICE OF MOTION FOR AN ADDRESS RE: POST OFFICE DIRECTOR IN ST. ROCH DE L'ACHIGAN.))

MR. PAPIN ((donne avis que)) samedi prochain ((il)) proposera une adresse à son excellence, demandant de faire mettre devant cette chambre copie de toute la

correspondance qui a eu lieu entre le gouvernement et les parties intéressées, concernant les plaintes faites contre Louis Archambault, écuyer, ci-devant député maître de poste pour la paroisse St. Roch de L'Achigan, sa résignation et la nomination de son successeur.⁷⁰

((QUESTION AND ANSWER RE: REPAIRS ON MONTREAL CUSTOM HOUSE.))

MR. FERRES enquired whether it was with the knowledge and consent of the Department of Public Works that Messrs. Ostell & Perrault, Architects, published an advertisement in a Newspaper on the afternoon of Saturday, the 7th inst., for tenders to be given in by Monday, the 9th inst., for repairs to the Custom House, at Montreal; and if not, whether it is usual for architects in the employ of the Department to call for tenders of Public Works without one free day's notice for contractors to make up their offers and without consulting the Department.⁷¹

MR. COM. PUB. WORKS LEMIEUX répond que MM. Ostell et Perrault sont chargés par le gouvernement de faire certaines réparations à la maison de douanes de Montréal, et qu'ils ont demandé des soumissions pour une petite partie de ces ouvrages, et qu'ils ont publié les avis dans trois journaux différens, le 5, le 6 et le 7, puis ils ont été continués jusqu'au 11. Personne n'en a souffert parce qu'il y a eu beaucoup de soumissions. Il doit dire en même tems qu'ils ont reçu instruction du département des travaux publics de donner des avis plus longs à l'avenir.⁷²

((WITHDRAWN MOTION FOR AN ADDRESS RE: APPOINTMENT OF JUSTICE OF THE PEACE IN COUNTY OF BEAUHARNOIS.))

MR. C. DAOUST (de Beauharnais) propose qu'une humble adresse soit présentée à son excellence le gouverneur général, pour copie de toutes correspondances ou recommandations relatives à la nomination d'Honoré Laurin, écuyer, du comté de Beauharnais, comme juge de paix.

Il dit que son but principal, en proposant cette adresse, est d'exposer à la chambre et au public la manière en laquelle l'administration du jour nomme aux emplois, et surtout quelle est la pratique suivie à cet égard dans le bureau du secrétaire provincial. Il sait que les ministres ne sont pas dans l'habitude de consulter les membres de l'opposition dans des circonstances analogues à celles dont il s'agit, mais comme ils ne sont pas censés connaître les individus qui, dans chaque localité, peuvent remplir les fonctions de juge de paix ou autres, il leur faut nécessairement prendre avis de quelqu'un. Or, qui se trouve en état de leur donner des informations correctes si ce n'est le représentant du comté, qu'il soit ou non un ami politique? Cependant, les intérêts de parti l'emportent, et on aime mieux faire des nominations à l'aveugle; on aime mieux s'exposer à faire des bévues que de se prévaloir des conseils d'un adversaire. Il (M. D.) comprend parfaitement cette tactique; tout le monde sait quel est le but de cette conduite de l'administration, lorsqu'il s'agit d'exercer, dans ses moindres détails, le patronage officiel. On veut par là dépopulariser les membres de l'opposition auprès des électeurs; on veut persécuter des adversaires politiques, même au préjudice des intérêts du peuple et de la bonne administration de la justice. Les ministres peuvent réclamer tout le mérite, toute la valeur de ces actes, mais ils se trompent singulièrement s'ils croient que le peuple se laissera prendre à ce piège grossier.

On vient d'adjoindre à la commission de la paix un M. Laurin qui réside dans la paroisse de St. Timothée où il y avait déjà cinq juges de paix. Rien ne justifie cette nomination et aucun habitant de cette paroisse ne l'a demandée. Il (M. D.) croit avoir le droit d'exiger des ministres qu'ils communiquent à cette chambre la

recommandation en vertu de laquelle il l'ont faite, afin que les électeurs de Beauharnais sachent à qui ils la doivent. Pour lui, il répudie toute responsabilité; il n'a été jamais informé du fait que par la Gazette officielle.

Dans une autre paroisse du même comté, il y avait besoin de juges de paix. Il (M. D.) a signalé le fait au gouvernement, et de plus, il a pris sur lui de suggérer les soins de deux personnes qu'il croyait et qu'il croit encore qualifiées à remplir les fonctions de juges de paix. Après avoir réfléchi pendant six mois, on a nommé d'autres personnes, sans juger à propos d'en informer le représentant du comté, ainsi que paraissait l'exiger la courtoisie la plus ordinaire. On a probablement consulté le représentant de quelque comté voisin qui a le mérite d'être un ministériel docile et qui, en cette qualité, est supposé connaître ce dont le comté de Beauharnais a besoin beaucoup mieux que celui qui le représente en parlement. Cette affaire est petite, excessivement petite du commencement à la fin, et l'hon. secrétaire provincial (M. Cartier) est libre de s'en adjuger toute la gloire.

Cependant, il (M. D.) doit remarquer que les fonctions de juge de paix sont d'une importance plus grande qu'on ne paraît le croire dans certains quartiers de l'administration; si un bon magistrat peut contribuer au bonheur et à la prospérité d'une localité, on sait, d'un autre côté, tout le mal qui peut résulter d'un mauvais choix. Il (M. D.) ne veut rien dire des personnes qui ont été nommées pour le comté dont il s'agit; il veut seulement faire voir quelles pourraient être les conséquences de la négligence, de la précipitation des ministres, quand il s'agit d'élargir le cadre de la commission de la paix.

Il est vrai que le gouvernement est responsable de ces nominations et qu'on peut obtenir la destitution d'un magistrat prévaricateur; mais ne vaut-il pas mieux prévenir ces éventualités désagréables, en prenant toutes les informations désirables aux sources qui peuvent mieux les produire?

"Pour moi, a dit M. D. en terminant, je n'attendais pas autre chose de cette administration. Elle est là en dépit de la majorité des électeurs de la province, après avoir foulé aux pieds les principes qui ont coutume de présider à la formation des gouvernements constitutionnels; tous les moyens lui semblent bons pour se maintenir, et parmi les choses qu'elle ne respecte pas, qu'elle méprise dans cette chambre et en dehors de la chambre, je n'hésite pas à placer le vœu populaire et les intérêts public."⁷³

MR. PROV. SEC. CARTIER dit que le gouvernement prend la responsabilité de ces nominations locales et qu'il n'est pas obligé de suivre les recommandations des représentants, ni même de leur en parler. Il nomme les personnes qui lui plaît, et lorsqu'il y a des recommandations en faveur de quelqu'un, il n'est pas tenu de les suivre. Si les personnes nommées ne sont pas capables de remplir les charges, le gouvernement en est responsable, et le membre doit savoir ce qu'il a à faire dans ce cas: c'est de faire blâmer le gouvernement par la chambre. Mais dans le cas actuel, le membre pour Beauharnais ne peut pas demander la correspondance qui a eu lieu, ou au moins le gouvernement n'est pas tenu de la donner, parce qu'elle est confidentielle et qu'elle ne doit pas être mise devant le public.⁷⁴

MR. C. DAOUST demande s'il doit comprendre que le gouvernement ne consulte jamais les représentants sur les nominations qui sont faites dans leurs comtés.⁷⁵

MR. PROV. SEC. CARTIER.--Le gouvernement est responsable de ces nominations; il consulte les membres et il suit leurs recommandations quand il le juge à propos, mais il s'oppose à ce que la correspondance soit mise devant la chambre.⁷⁶

MR. C. DAOUST insiste cependant pour avoir cette correspondance, parce qu'il ne peut croire que la correspondance faite avec un bureau public doive être confidentielle. Tout ce qui se fait dans les bureaux publics doit être public, et quand le secrétaire provincial agit en cette qualité, la chambre et le peuple ont droit de savoir ce qu'il fait et cela ne peut pas être confidentiel. C'est un nouvel axiome qui s'accorde fort peu avec l'esprit du gouvernement responsable, mais que l'hon. secrétaire provincial veut consacrer parce qu'il y trouve le compte de ses rancunes et de ses petites passions.⁷⁷

MR. A. DORION (de Montréal) est bien aise que cette question vienne aujourd'hui devant la chambre afin qu'on sache comment le gouvernement agit. Quand on a proposé de faire élire les officiers locaux par le peuple, le gouvernement s'y est opposé en disant que cela était inutile parce que, lorsqu'il y avait quelque nomination à faire dans un comté, il consultait toujours le représentant de ce comté, et qu'il suivait ses recommandations. Voici maintenant un exemple qui prouve la bonne foi et la sincérité des ministres. Un membre recommande deux personnes pour être magistrats, et puisqu'il les recommande, elles doivent être qualifiées, et le gouvernement en nomme d'autres sans même lui en donner avis. Dans un autre comté, représenté par un membre de l'opposition, quatre personnes étaient recommandées pour être magistrats; le gouvernement consulta le représentant sur le choix qu'il devait faire,--car il n'en fallait que deux,--et ce membre désigna les deux qu'il croyait le plus capables. Eh bien! au lieu de nommer les deux qui avaient été recommandés par le représentant du comté, on nomma les deux autres, précisément pour ne pas faire comme il le désirait. C'est là une conduite digne des hommes qui sont aujourd'hui au pouvoir. Ce qu'il y a de plus clair là-dedans, c'est que le gouvernement consulte ses amis et suit leurs recommandations afin d'augmenter leur influence, tandis qu'il ne consulte pas ou qu'il fait le contraire de ce que recommandent les membres de l'opposition, afin de tâcher de diminuer leur popularité en faisant croire au peuple qu'ils ne lui sont d'aucune utilité. Il est satisfait que le gouvernement prenne la responsabilité des nominations locales et qu'il ne se croie pas obligé de suivre les recommandations des membres, mais il pense que le peuple ne sera pas de cette opinion et qu'il ne s'y soumettra pas long-temps. Il croit que pour ces nominations les représentants devraient être consultés, et que l'opinion des comtés devrait être suivie par la voix des représentants. Le gouvernement suit une autre pratique, et il est bien aise que cette occasion de la mettre au jour soit arrivée, afin que le pays puisse en juger.⁷⁸

MR. AT. GEN. DRUMMOND voit bien que l'hon. membre pour Beauharnais n'a demandé cette correspondance que pour soulever la discussion qui vient d'avoir lieu, et il espère qu'il ne persistera pas plus long-temps puisqu'il a atteint son but, parce qu'il sait bien que cette correspondance est privée.

L'hon. secrétaire provincial n'a pas dit que le gouvernement ne consultait jamais les représentants, ou qu'il ne suivait pas leurs recommandations à propos de ces nominations, mais il a dit qu'il n'était pas obligé de les suivre, et qu'il prenait la responsabilité de ces nominations. Et cette responsabilité n'est pas illusoire, comme on vient de le dire, car lorsque le gouvernement est supporté par la majorité de la chambre, et par conséquent par la majorité du pays, il est justifiable de ne pas suivre les opinions d'un membre en particulier, et il est responsable de ce qu'il fait vis-à-vis la chambre. Il n'est donc pas logique d'exiger qu'il suive les recommandations d'un membre ou d'un comté en particulier. Pour lui, lorsqu'il y a quelques nominations locales qui dépendent de son département, il est toujours bien aise de consulter le représentant du comté, mais il ne se croit pas obligé de suivre ses conseils.⁷⁹

MR. PAPIN comprend que le gouvernement responsable doit fonctionner conformément au désir de la majorité du pays, exprimé par la majorité de la chambre; il comprend que lorsqu'il s'agit de mesures d'un intérêt général, le gouvernement doit consulter la majorité de la chambre,--mais quand il s'agit d'un intérêt local, qui n'intéresse qu'un comté ou qu'une paroisse en particulier, et où l'opinion politique de la majorité des électeurs est opposée au gouvernement, il ne conçoit pas qu'on consulte l'opinion d'un comté voisin ou de la province pour agir dans ce comté. Le comté de Beauharnais a envoyé un représentant qui ne s'accorde pas avec le gouvernement, mais quand il s'agit de faire une nomination de magistrats dans ce comté, il ne comprend pas pourquoi on consulterait la majorité du Haut-Canada ou des autres comtés, plutôt que de consulter le représentant de Beauharnais. Est-ce que les membres du Haut-Canada savent mieux ce qu'il faut au comté de Beauharnais que le représentant lui-même? Cette manière d'agir est contraire aux vœux du peuple de la localité qu'elle intéresse, tandis que les autres localités n'ont aucun intérêt à vouloir que le gouvernement agisse contrairement aux désirs de la majorité du comté. Il s'est convaincu lui-même de la même chose. Dans une paroisse de son comté, la majorité des électeurs avait demandé par requête la nomination de commissaires des petites causes depuis plus d'un an, et ces commissaires n'étaient pas nommés. Il est allé dans le bureau du secrétaire provincial pour s'informer pourquoi ces nominations n'étaient pas faites, et il a appris que c'étaient parce que trois individus avaient décidé qu'une cour de commissaires ferait plus de mal que de bien dans cette localité. Et les lettres de ces individus étaient confidentielles.... Ainsi, trois individus dans une paroisse, parce qu'ils sont amis du gouvernement, empêchent toute la paroisse d'obtenir ce qu'elle désire, malgré que la loi dise expressément qu'il sera établi des cours de commissaires, lorsque cela sera demandé par la majorité de la paroisse. Ce système absurde, qui soumet la majorité à la minorité, doit finir dans l'intérêt du peuple. Il comprend bien que le gouvernement puisse considérer qu'il est de son intérêt de nommer aux charges les personnes opposées aux membres de l'opposition afin de les récompenser, mais il demande si c'est là véritablement gouverner par la majorité, et si c'est rendre justice aux électeurs d'un comté que de décider une affaire locale contre les vœux de la majorité en prétendant que la majorité des autres comtés est opposé à ce qu'elle demande.⁸⁰

MR. LORANGER said if Ministers made a bad appointment, it would be no excuse for them that they had acted on the recommendation of an opposition member. They should distrust such recommendations as coming from those desirous of rendering them unpopular and driving them from office--"Timeo Danaos et dona ferentes."⁸¹

MR. PRES. EX. COUN. MACNAB ((dit)) ... quelques mots⁸².

La motion est ((alors)) retirée.⁸³

((WITHDRAWN MOTION RE: ELECTORAL DIVISIONS OF LOWER CANADA FOR LEGISLATIVE COUNCIL.))

MR. FELTON propose qu'il soit résolu:

1. Que la population du Bas-Canada d'origine anglaise a numériquement droit à être représentée dans le conseil législatif électif projeté par 9 ou 8 sur les 24 nouveaux membres accordés au Bas Canada par la cédule du bill du conseil législatif électif.

2. Que les divisions électorales suggérées dans la dite cédule pour le Bas-Canada créeront seulement quatre collèges anglais, Wellington, Bedford, Inkerman et Victoria: et vingt collèges français.

3. Que la population du district de St. François et le nombre de représentants dans la chambre basse possédé par les comtés Stanstead, Compton, Sherbrooke, Wolfe, Drummond et Arthabaska et la ville de Sherbrooke donnent droit aux habitants de ces collèges (même suivant la proposition censée adoptée par le dit bill), à au moins deux représentants dans le conseil législatif électif.

4. Que la population, étendue territoriale et la force comparative de la représentation du district de St. François dans la chambre basse, offrent une occasion favorable d'assigner à la population anglaise du Bas-Canada une représentation approchant un peu plus du chiffre auquel elle a justement droit.

5. Qu'en vue des considérations qui précèdent, il est expédient de diviser la ville et les comtés ci-dessus nommés en deux divisions électorales pour l'élection d'un membre chacune pour le conseil législatif électif.

Il dit que les divisions électorales pour le conseil législatif ne sont pas faites d'une manière équitable pour les anglo-saxons, parce qu'ils ont droit à une plus grande proportion de membres en vertu de leur nombre dans le Bas-Canada. Les canadiens-français auront plus de membres qu'ils n'ont droit d'en avoir, et les anglo-saxons ne doivent pas souffrir cela; c'est une tyrannie à laquelle la portion anglaise du Bas-Canada ne se soumettra pas, et il espère que les membres anglais dans la chambre ne la permettront pas, parce qu'il faut que la population anglaise ait un plus grand nombre de représentants dans la chambre haute, comme dans la chambre basse. Si ses résolutions sont rejetées par le ministère, il votera contre tout le bill, et le gouvernement s'expose à perdre l'appui de ses amis d'origine anglaise.⁸⁴

MR. COM. CR. LANDS CAUCHON moved in amendment, that the resolutions be referred to a Committee of the Whole for consideration⁸⁵. ((He)) thought it better that the hon. member should postpone his resolutions till the bill was again considered in Committee of the Whole, when the whole subject would properly be brought up. That would save the necessity for two discussions on the point instead of one.⁸⁶

MR. FELTON could not consent to adopt this course. The subject was one of vital importance to the interests of that part of the country of which he was one of the representatives. If the Government had manifested any disposition to meet the case fairly and do the English speaking inhabitants of Lower Canada justice he should not have brought the matter before the House. But they had not done so and he could not consent to see the interests of that part of the country sacrificed. The total population of Lower Canada was nearly a 1,000,000, which gave one member for every 40,000. Yet in the Townships they had only one member for 60,000. The District of St. Francis with that population had only one member. The only exception was the Electoral District of Bedford which sent a member for a population of 35,000, and it was a fact of peculiar significance that this was the constituency of which the hon. Attorney General East represented a portion in that House. These counties to be thus unfairly respresented (sic) were increasing much faster than the rest of Lower Canada and were therefore entitled to a maximum not minimum representation--while the increase of population in all Lower Canada in the seven years from 1844 to 1851 was only from 600,000 to 800,000 or about 33 per cent.--that of the district of St. Francis was 115 per cent, and of the English counties on the Ottawa 90 per cent. And as they had much fertile new land to be settled while the other parts of Lower Canada were already well filled up they were likely to continue ... to outstrip the other constituencies of the Province. He was satisfied that such an impetus had been given to the progress of the Eastern Townships by the opening of railways since the census of 1851 that the population of the District of St. Francis had nearly

doubled itself again during those four years. Again that district was represented in that House by five members while it was proposed to give them but one in the Upper House. Here again was a marked disproportion as the ration (sic), between the representatives of the rest of the Province in the two Houses would be less than three to one.⁸⁷ They were told indeed that they were over-represented in that House, but that was no reason why they should be under-represented in the Upper House, a body where minorities would have greater difficulties in making themselves heard and maintaining their rights than in that larger House. Besides, any inequality of that kind would be very soon remedied by the increase of population to which he had alluded. They had heard from time to time much of French Canadian tyranny ((over)) the Anglo-saxon race in Lower Canada, but he hoped it would be remembered if this injustice were perpetrated, who it was had done it,--that, it had been reserved for a more conservative administration to do a wrong, such as had never been inflicted on that race by the liberals when in power. He had been willing to give party votes at times, and sometimes to sacrifice individual opinions in order that Government might be carried on, but he could not consent to see his constituents trampled under foot without resisting the attempt.⁸⁸

MR. COM. CR. LANDS CAUCHON said the hon. member had made insidious appeals to differences of race so as no doubt to win the sympathy of Upper Canada members. He hoped Upper Canada members would ... be led away by no such desire--and he thought such allusions particularly uncalled for and obnoxious to censure when the two races represented in that House were fighting side by side the battles of the liberties of Europe. He had spoken too of the anglo-saxon race as opposed to the French Canadian as if the large Irish population of Canada were of the anglo-saxon race. Here the hon. gentleman related an anecdote of his correction of a similar statement when made on a former occasion by the Mayor of Buffalo. The hon. gentleman had not only appealed to distinctions of race but had threatened Ministers with a thunderstorm of displeasure if they persisted in the scheme they had drawn up.⁸⁹ L'hon. membre menace de voter contre le bill et même de passer (sic) à l'opposition si ses résolutions se (sic) sont pas acceptées⁹⁰.

MR. FELTON objected to the hon gentleman putting words in his mouth he had never made use of.⁹¹

MR. COM. CR. LANDS CAUCHON had so understood him. However that might be⁹², if he would take population as the basis of his resolutions, Government would consent to that course⁹³ ((OR)) if the hon. gentleman would bring his case before the Committee of the whole on the bill, and would bring facts and figures to shew that the schedule complained of was unjust, the ministry were prepared to do him justice.⁹⁴

MR. FELTON.--That was all he wanted.⁹⁵

MR. TERRILL, in considering this question, did not think it would be right to vote against the bill introducing the elective principle, merely because the territorial divisions under the bill might not be arranged as he desired. Neither was he prepared to say that he would on that account go into opposition to the Government. At the same time he was far from coinciding in what had fallen from the Commissioner of Crown Lands on this subject. He believed that the demands of the member for Wolfe were founded in justice, and as it was expected that members should represent in that House the wishes and wants of their constituencies, and as they naturally

advocated these interests warmly, he was surprised to hear the taunts of the Crown Land Commissioner. Arguments like those of the member for Wolfe ought to be considered carefully, and not taken up in an offensive spirit by the Ministry, and if they were not, though he might not think it necessary on any one occasion to desert a Ministry, yet the repetition of such conduct would show such a disregard for the just claims of the locality which suffered from it that it might be necessary for its representatives to do so. While he said this, he must also say that a much better time might be chosen for discussing this subject.⁹⁶

MR. FELTON thought the very unusual manner of the Crown Land Commissioner called for some answer on his part, and but for the observations already made by the member for Stanstead, he would perhaps have replied now in a different spirit. He denied that he had threatened to vote against the bill, or to leave the ministry, though he had said, and meant what he said, that unless justice was done to the part of the country where he resided, he would prefer that the bill should not pass. The Crown Lands Commissioner ought to be able to put a check upon his temper, and he acknowledged that if he believed the ministry sympathized with the feeling that gentleman had shown, it would go far to make him think that he ought to desert them.⁹⁷ As the matter now stood, and if numbers were taken as the base in forming the schedule, he would withdraw his motion on that understanding.⁹⁸

MR. COM. CR. LANDS CAUCHON would also withdraw his motion on the same terms.⁹⁹ ((He)) said that being a minister he thought he was still a human being, and as such subject to feel warm when remarks were made that trenched on his feelings. As to the real question at stake, the ministry would do what was just, and nothing more, even though members did leave them.¹⁰⁰

The resolutions were withdrawn, with the view of being taken into consideration, when the House went again into Committee on the Bill.¹⁰¹

((WITHDRAWN MOTION FOR REPORT ON HISTORY OF CHOLERA UNDER PUBLIC HEALTH INVESTIGATION.))

At the request of MR. PRES. EX. COUN. MACNAB,¹⁰²

MR. ALLEYN ... withdrew his motion for an address to his Excellency the Governor General, for the publication of the Report of Commissioners named to investigate into the history of Cholera in Canada in 1854.¹⁰³

((WITHDRAWN MOTION RE: HOURS FOR SITTINGS OF LEGISLATIVE ASSEMBLY.))

At the request of the Ministry,¹⁰⁴

MR. CAMERON ... withdrew his motion--that the House shall, for the remainder of the Session, meet every Tuesday and Thursday at 10 A.M., and sit until 2 p.m.¹⁰⁵

((WITHDRAWN? MOTION FOR AN ADDRESS RE: PUBLIC WORKS EMPLOYEES IN LOWER CANADA.))

On motion of MR. POULIN ... address ... for accounts of persons who have supplied groceries, for persons engaged on Public Works in Lower Canada.¹⁰⁶

FOOTNOTES: 30 APRIL 1855.

1. MORNING CHRONICLE, 1 May 1855, provides a summary of the Committee's meeting, giving information on resolutions and their movers, and on how members of the Committee voted.
2. LE PAYS, 5 May 1855.
3. GLOBE, 10 May 1855.
4. IBID.
5. IBID.
6. IBID.
7. IBID.
8. IBID.
9. TORONTO DAILY LEADER, 8 May 1855, attributes this motion to Mr. Chisholm.
10. MORNING CHRONICLE, 4 May 1855.
11. IBID.
12. IBID.
13. IBID.
14. TORONTO DAILY LEADER, 8 May 1855.
15. IBID.
16. LE PAYS, 5 May 1855.
17. MORNING CHRONICLE, 4 May 1855.
18. LE PAYS, 5 May 1855.
19. GLOBE, 10 May 1855.
20. LE PAYS, 5 May 1855.
21. GLOBE, 10 May 1855.
22. IBID.
23. IBID.
24. IBID.
25. IBID.
26. IBID.
27. TORONTO DAILY LEADER, 8 May 1855.
28. MORNING CHRONICLE, 4 May 1855.
29. GLOBE, 10 May 1855.
30. IBID.
31. TORONTO DAILY LEADER, 8 May 1855.
32. GLOBE, 10 May 1855.
33. MORNING CHRONICLE, 4 May 1855.
34. GLOBE, 10 May 1855.
35. MORNING CHRONICLE, 4 May 1855.
36. GLOBE, 10 May 1855.
37. TORONTO DAILY LEADER, 8 May 1855.
38. GLOBE, 10 May 1855.
39. IBID.
40. IBID.
41. IBID.
42. GLOBE, 10 May 1855. TORONTO DAILY LEADER, 8 May 1855, offers a different version of Mr. Felton's motion at this stage. This newspaper reports: "Mr. Felton proposed to dispense with the orders of the day, and gave notice of the bill for tomorrow, to test under the circumstances the sincerity of the supporters of the bill". However, GLOBE, 10 May 1855, and MORNING CHRONICLE, 4 May 1855, have both reported Mr. Felton's reluctance to discharge the order of the day at this point, as reprinted in footnotes 44 and 45.

43. GLOBE, 10 May 1855.
44. IBID.
45. MORNING CHRONICLE, 4 May 1855.
46. GLOBE, 10 May 1855.
47. IBID.
48. IBID.
49. TORONTO DAILY LEADER, 8 May 1855.
50. GLOBE, 10 May 1855.
51. IBID.
52. TORONTO DAILY LEADER, 8 May 1855. LA MINERVE, 5 May 1855, offers the following commentary: "... le bill Felton n'aboutit point, le voilà comme un vrai mortné qui ne verra point la lumière du jour.
La chambre l'enterrait ... dans un immense éclat de rire, provoqué par la forte raison de M. l'Orateur, et par les spirituelles saillies de M. Loranger."
53. GLOBE, 10 May 1855.
54. IBID.
55. GLOBE, 10 May 1855. LE PAYS, 5 May 1855, also provides an account of Mr. Felton's notices of motion, but reports only the 51st rule to be suspended.
56. MORNING CHRONICLE, 4 May 1855.
57. GLOBE, 10 May 1855.
58. MORNING CHRONICLE, 4 May 1855.
59. IBID.
60. IBID.
61. IBID.
62. MORNING CHRONICLE, 4 May 1855. GLOBE, 10 May 1855, reports: "The House was then engaged in Committee for a considerable time on Mr. Cameron's Bill".
63. LE PAYS, 5 May 1855.
64. IBID.
65. IBID.
66. IBID.
67. IBID.
68. IBID.
69. IBID.
70. IBID.
71. TORONTO DAILY LEADER, 8 May 1855.
72. LE PAYS, 5 May 1855.
73. IBID.
74. IBID.
75. IBID.
76. IBID.
77. IBID.
78. IBID.
79. IBID.
80. LE PAYS, 5 May 1855. The ellipsis has been reprinted as it appears in LE PAYS, 5 May 1855.
81. MORNING CHRONICLE, 4 May 1855.
82. LE PAYS, 5 May 1855.
83. IBID.
84. IBID.
85. TORONTO DAILY LEADER, 8 May 1855.
86. MORNING CHRONICLE, 4 May 1855.
87. IBID.

88. MONTREAL GAZETTE, 4 May 1855.
89. MORNING CHRONICLE, 4 May 1855.
90. LE PAYS, 5 May 1855.
91. MORNING CHRONICLE, 4 May 1855.
92. IBID.
93. TORONTO DAILY LEADER, 8 May 1855.
94. MORNING CHRONICLE, 4 May 1855.
95. IBID.
96. MONTREAL GAZETTE, 4 May 1855.
97. MORNING CHRONICLE, 4 May 1855.
98. TORONTO DAILY LEADER, 8 May 1855.
99. IBID.
100. MORNING CHRONICLE, 4 May 1855.
101. GLOBE, 10 May 1855.
102. TORONTO DAILY LEADER, 8 May 1855.
103. IBID.
104. IBID.
105. IBID.
106. MORNING CHRONICLE, 1 May 1855. This motion is reported in MORNING CHRONICLE, 1 May 1855, as well as in MONTREAL GAZETTE, 1 May 1855, and LE PAYS, 1 May 1855. The 3 accounts mention that this address "was ordered" on this day, 30 April 1855. However, the JOURNALS do not include this address, neither on this day or any other.

TUESDAY, 1 MAY 1855.

(960)

MR. SPEAKER communicated to the House, the following Letter:--

Quebec, 30th April, 1855.

Sir,--With reference to a Letter which Mr. Lindsay, the Clerk of this House, had the honor of addressing you, on the subject of an additional Assistant, and which has since been referred to a Select Committee, I beg respectfully to state, that viewing my advanced age (being now sixty-five years) as well as my increasing infirmities, I feel that I am now no longer able to discharge, efficiently, the duties of my office as Assistant Clerk, particularly during the evening sittings of the House.

I have now been forty-three years in the service of the House, during which period I have endeavoured to discharge the duties of my situation with all the zeal and ability of which I was capable.

Apart from the duties appertaining to my situation, I can state with perfect truth, that during the last twenty-five years I have been constantly employed in forming a collection of rare and valuable Works, as well as Manuscripts, relating to the History of America. At the time of the destruction of the Legislative Buildings at Montreal, in April, 1849, these amounted to above 1600 volumes, the whole of which were unfortunately destroyed.

After renewed and continual exertions, this collection was again reconstructed, and had reached the number of nearly 2000 volumes, when it was partially destroyed by the second calamitous fire which happened on the 1st February, 1854. On that occasion, about 700 volumes perished in the flames; amongst them were a large number of publications of the 16th and 17th centuries, many of which it is feared cannot be replaced.

The remaining portion of this collection consists, at this present time, of about 1200 volumes, together with 24 folio volumes of Manuscripts, and nearly 200 Maps, Charts, and Plans, all relating to the early History of Canada. Even in its present state, this collection is unique in its kind, and may in time be brought to attain its former splendid condition, provided it be placed under the undivided care and attention of a competent person.

After having thus stated the nature and extent of my services, I would respectfully beg the favor of your recommendation to the Committee, in order that I may be allowed to resign my present situation as Clerk Assistant, and out of my Salary of Five hundred and fifty pounds, to grant me a Pension of Four hundred pounds, during the remainder of my life; or should this collection be left in Quebec under

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my charge, that I may then be allowed to enjoy the full amount of my Salary.

I have the honor to be, Sir,

Your very obedient Servant,

G.B. Faribault.

To the Honorable the

Speaker of the Legislative Assembly.

On motion of Mr. Thomas Fortier, seconded by Mr. Turcotte,

Ordered, That the said Letter be referred to the Special Committee to which was referred the Letter of the Clerk of the House, laid on the table by the Honorable the Speaker, in reference to the appointment of an additional Clerk Assistant, with an Instruction to the said Committee to inquire concerning the capacity of each of the Officers and Clerks of this House, and their fitness to discharge their duties

in the several Offices now respectively held by them, or to which they may hereafter be appointed, with a view to ensure the efficient discharge of the duties devolving upon them respectively.

The following Petitions were severally brought up, and laid on the table:--

By the Honorable Mr. Cauchon,--The Petition of F.E. Juneau, President of the Library Association of School Teachers of the District of Quebec.

By the Honorable Mr. Cartier,--The Petition of Aimé Massue and others, of the Parish of Varennes.

By Mr. Crawford,--The Petition of James Kennedy, at present confined in the Gaol at Brockville.

By the Honorable John Sandfield Macdonald,--The Petition of Donald McLeod and others, of the Township of Charlottenburgh, in the United Counties of Stormont, Dundas and Glengarry.

By Mr. Scatcherd,--The Petition of Donald Munro and others, of the Township of Williams, County of Middlesex.

By Mr. Foley,--The Petition of John Mayer and others, of the Township of Woolwich, in the County of Waterloo.

By Mr. Frazer,--The Petition of Robert McCallister and others, of the County of Welland.

By Mr. Casault,--The Petition of Cyrille Bernier and others, Masters of Vessels navigating the Gulf and River St. Lawrence.

By Mr. Huot,--The Petition of Louis Harvey and others, of the Parish of St. Louis de l'Isle aux Coudres.

By Mr. Jean Baptiste Eric Dorion,--The Petition of J. Murphy and others, of the Township of Tingwick.

By Mr. Freeman,--The Petition of William A. Smith and others, Bailiffs, of the County of Wentworth.

By Mr. Solicitor General Ross,--The Petition of F.X. Ponsant and others, of the Parish of St. François d'Assise, in the County of Beauce.

By Mr. Aikins,--The Petition of W.T. Shaver and others, of the County of York.

By Mr. McCann,--The Petition of the Municipality of the Township of Clarence.

Sur motion de MR. GALT,¹

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Ordered, That the Petition of Thomas C. Keefer, Civil Engineer, of the City of Montreal, be printed for the use of the Members of this House.

On motion of the Honorable Mr. Cayley, seconded by the Honorable Mr. Cauchon,
Ordered, That the Orders of the day be now read.

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And the Order of the day for the third reading of the Bill to incorporate certain persons under the name and style of the Stratford and Huron Railway Company, being read;

The Bill was accordingly read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Daly do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to incorporate the Provident Life Assurance and Investment Company, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Joseph Curran Morrison do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to amend the Act relating to Land Surveyors, was, according to Order, read the third time.

On motion of Mr. Solicitor General Smith, seconded by the Honorable Mr. Attorney General Macdonald,

Ordered, That the further consideration of the Bill be postponed until To-morrow.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

Mr. Speaker,

The Legislative Council have passed the following Bills, without Amendment, viz:--

Bill, intituled, "An Act to determine the manner in which the division or side lines of the Lots in the Township of Wolfe Island shall be drawn:"

Bill, intituled, "An Act to renew the Charter of the Humber Harbour Company:"

Bill, intituled, "An Act to determine the course of the division or side lines of the Lots in certain Concessions in the Township of Smith:"

Bill, intituled, "An Act to authorize the Courts of Queen's Bench, Common Pleas, and Chancery, in Upper Canada, to admit John Jermy Macaulay to practise as an Attorney and Solicitor therein, respectively:"

Bill, intituled, "An Act to authorize the Court of Chancery and Courts of Queen's Bench and Common Pleas in Upper Canada, to admit Bartholomew Galvin to practise as an Attorney:"

Bill, intituled, "An Act to incorporate the Upper Canada Bible Society:"

Bill, intituled, "An Act to legalize certain grants from the Municipalities of this Province towards the Patriotic Fund:"

Bill, intituled, "An Act to ratify certain things done under the Act to confirm the Reciprocity Treaty, and for other purposes:"

Bill, intituled, "An Act to facilitate the negotiation of Municipal Debentures:"

Bill, intituled, "An Act to incorporate the Upper Canada Religious Tract and Book Society:" And also,

The Legislative Council have passed the Bill, intituled, "An Act to secure the more efficient auditing of the Public Accounts," with an Amendment, to which they desire the concurrence of this House.

And then he withdrew.

MR. INSP. GEN. CAYLEY moved the House into Committee of the Whole to consider of granting 900,000L sterling of additional aid to the Grand Trunk Railway Company. In doing so he said he thought it necessary at the outset to advert briefly to the debate which took place² in the early part of the session before the long recess³--not that the case was precisely the same, because then no additional aid was asked for, but simply a diffusion of the guarantee--but because of certain opinions which were then expressed by himself and by the Government as to the means of the Company to carry out their engagements. He said then that had the Company come down to ask to be placed on the same footing as the Great Western and Northern Lines, and he had been satisfied of their ability to carry out their engagement, he would have been ready to accord to them the same advantages.⁴ Now he came down to ask, in behalf of this Company, that it should receive the same assistance from the Province as had been extended to the Great Western and Northern Lines before; merely to give it an

advance of fifty per cent of Provincial debentures, instead of the 40 per cent, previously promised.⁵ It might now be said that they were making a second application on behalf of the Grand Trunk during the same session, and he sincerely wished that the application had been made before the recess. He could have wished that the Directors of the Company had yielded more to their doubts, and to the dictates of prudence and caution, and less to any sanguine expectations they might have that times would improve, that the war was coming to a close, and that the money market would be easier, and the stock increase in value. But because the Directors had been disappointed in those expectations, he did not think that was any reason why the Province should withdraw from them their confidence. There was another disappointment the Company had experienced to which he ought to refer. At the time of the amalgamation, but a very small portion of the stock necessary to carry out the whole of the vast undertaking had been subscribed in Canada. The whole of the Toronto and Guelph stock was⁶ 133,000L sterling,⁷ the subscription of stock on the St. Lawrence and Atlantic's was 233,000L, and of Company's Bonds 245,400L⁸ ((OR)) 233,000L in bonds and 245,000L in shares,⁹ and on the Quebec and Richmond 100,000L of Company's Bonds, and 305,000L of shares. So that to carry out an undertaking, involving an expenditure of about 9½ millions sterling, there was something about a million of money subscribed here, independently of the Provincial Guarantee. It was in these circumstances that a prominent member of the Government of the day, Mr. Ross, went to England to solicit the aid of the Provincial agents, Messrs. Glyn and Baring, with reference to the amalgamation of the various lines into one grand railway, and to procure for this amalgamated line their support and co-operation. He made this statement, because it had been more than once admitted by Mr. Ross himself that it was with some reluctance that Messrs. Baring and Glyn undertook the management of this Company and embarked this capital on it. He believed that Mr. Baring more particularly was indisposed to enter into it, and they were only induced to embark in it, in consequence of their previous connection with the Province as its agents and their being thoroughly acquainted with all its resources (sic) and credit and monetary condition, so that their refusal would have stamped such a mark on the enterprise as would have led to its defeat. It was for this reason that they were induced to take a part in it themselves and to invite their friends and other men of capital in London to come forward.¹⁰

MR. BROWN.--Hear! hear!¹¹

((MR. INSP. GEN. CAYLEY:)) He heard the member for Lambton calling Hear, hear, and he did not mean to deny that they looked forward to obtaining some return from the adventure. But at that period there were other enterprises besides the Grand Trunk, and more within their reach and under their eye, in which they might have embarked their capital. The part taken in the matter by Messrs. Baring and Glynn, was the cause of the high position the stock occupied in the first instance in England. And with the prospect of the stock at once occupying a first position in America, they reserved for stockholders in Canada, connected with the Northern, Quebec and Richmond, and St. Lawrence and Atlantic lines, a certain amount of stock, upwards of 800,000L¹² ((OR)) 837,000L¹³. When this reservation was made there could be no doubt that stock could have been sold in London to the applicants for shares, if not at a premium, at all events at par. As much was stated in the correspondence which had been laid before the House. In making this reservation of stock, therefore, they were actuated by no other motive than that Canada should share in all the advantages to be derived from carrying out the project. The stock remaining after reserving the portion for Canada, and deducting the original stock subscribed

in Canada, amounted to 7,250,000L¹⁴ ((OR)) 7,500,000L¹⁵ which was divided into two equal parts, the A. and the B. series. According to the prospectus only the A. series was to be placed in the first instance on the market, and the B. series was to be reserved for the Contractors. A number of applicants for stock must have been disappointed, but according to the conditions of the prospectus, they had no longer the option of selling the stock reserved for Canada or the B. series reserved for the contractors. Shortly after the amalgamated company was formed, the scheme of obtaining the entire control of the line from the St. Lawrence to the Atlantic was carried into effect, the American portion of the line being leased to the Grand Trunk Company, but they had no expectation of such an outlay being called for upon the line as had since been found necessary. It appeared that nearly half a million had been expended on the St. Lawrence and Atlantic subsequently to the amalgamation, to make up for the deficiencies in its first construction, and this together with the disappointment in the reserve stock for Canada not being taken up created a drain on the resources of the company of 1,300,000L. It would thus appear that from the very commencement the Grand Trunk had had a very difficult part to play in carrying on their operations which they had done most rapidly and energetically, and with a much more limited capital than they had reason to calculate upon. At the time this question was before Parliament in the end of the year, the Company was indebted to a considerable amount for advances by bankers and for amounts due the contractors, and he wished that they had then asked for additional aid, instead of relying as they did on the diffusion of the guarantee. From a remark which fell from the hon. member for Lambton, last autumn, the House might have inferred that if they advanced the money then asked for, it would go simply to pay the contractors and the banks for their advances, and that not a sixpence of it would be spent on this side of the water. He would show that that was not the case, by reading the amounts which had been expended since that vote was given. The following was the estimate of the amounts expended between Montreal and Toronto:--

In November,	106,053L
In December,	97,061
In January,	22,450
In February,	48,295

Total between Montreal and Toronto	
in four months,	273,859L
On Quebec and Richmond Road,	14,000
On Quebec and St. Thomas Road,	35,450
On Toronto and Stratford Road,	110,774

Total expenditure in four months, 434,083L¹⁶

The total coming to Jackson & Co., not including the March estimate was thus 343,305L. The amount of Gzowski & Co's. estimates on the Western end of the line down to the 1st March had been 110,774L making a grand total of 454,083L (sic)--as work done since last fall not including the March estimate.¹⁷

MR. BROWN.--Hear, hear! And they have drawn 498,000L of the diffused provincial guarantee.¹⁸

MR. INSP. GEN. CAYLEY said that if the expenditure subsequently made were included, it would be seen that it exceeded the whole amount drawn on the Provincial guarantee. He had said that the whole original undertaking involved an expenditure of 9½ millions sterling, which was to have been distributed in the following way:--

On St. Lawrence and Atlantic,	1,258,000L
On Quebec and Richmond,	700,000
On Montreal and Toronto,	3,000,000
On Quebec and Trois Pistoles,	1,224,000
On Toronto and Sarnia,	1,376,000
Grand Junction,	400,000
Victoria Bridge,	1,400,000
Contingencies,	142,000

Total, 9,500,000L

Certain portions of these works having been suspended, the expense of constructing the line from St. Thomas to Stratford, and from Montreal to the province line at Island Pond, according to the original estimate, and not including the Victoria Bridge, would be as follows:--

St. Lawrence and Atlantic	1,258,000L
Quebec and Richmond,	700,000
Montreal and Toronto,	3,000,000
Quebec and St. Thomas,	375,000
Toronto and Stratford,	1,040,000

Total, 6,373,000L

Upon these works, there had been expended on the Grand Trunk Line in Canada, the sum of 4,929,799L 7s 11d; and on the leased road of the Atlantic and St. Lawrence, 347,641L 11s 3d; in all, 5,277,440L 19s 2d, which had been expended in the construction of the main work. Up to the 1st April, there had been further expended on--

Preliminary expenses,	32,858L 19 0
Sundry charges for fuel, stoves, &c.,	7,189 19 1
Interest account,	207,859 17 7
	<hr/>
	247,908L 15 8

Due by contractors, by bonds and cash in hand,	165,065 18 6
Expenditure as above,	5,277,440 19 2

Total expenditure, 5,690,415L 13 4

On the other side, there had been received from shareholders, on the Company's shares and bonds, and private bonds, as shown by a printed statement placed in the hands of members last evening, 2,627,819L 17s 7d; and on the Provincial guarantee, 1,776,268L 16s; leaving 1,286,326L 19s 9d; being the excess of expenditure over the sums so received, to be made up from other sources. This balance was made up as follows:--

Amount due contractors ¹⁹	337,501L
Reserve fund from contractors	75,185L ²⁰
	<hr/>
	412,687L 9 0
Bills payable,	132,845 19 4
Bills of Exchange,	507,187 15 9
Sundry small debts,	12,565 19 1
Loans from banks,	221,039 16 7

Total, 1,286,326L 19 9

This in fact was the amount which the Company were indebted to their contractors, to their banks, and on bills payable and bills of exchange, up to the 1st April. The

question then came to be whether the company made out a fair case in coming to the country for additional aid, on the ground that they had been disappointed in the stock reserved for Canada, not a single shilling of which was taken up, while on the contrary the moment the amalgamation took place, a large number of those who held stock in this country in the St. Lawrence and Atlantic, sent over their stock to England to be sold, helping to depress the stock in the English market. In this way Canada had thrown upon parties in England the whole burden of carrying out this great enterprise, which was to be wholly for the benefit of Canada.²¹ No doubt, these men had taken their stock with a view of making profit, and the contractors had taken the contract with the same view, but the only hope of profit was in the early completion of the line, and its proving remunerative by the traffic over it, thus conferring a benefit on Canada. On the list of shareholders were the names of eminent men, second to none in these matters, who had embarked their means in the scheme, depending upon no other source of profit than the paying qualities of the Grand Trunk Railway. Yet there did not remain a sum to be paid up in Canada of 10,000L; there was a mere bagatelle of 5000L or 6000L, payable on the Toronto and Guelph shares²², so that the whole calls on which the company had to depend were calls to be made in England, first of all on the A series. On the A series there had been already advanced in anticipation of the 5th, 6th, 7th and 8th calls, a sum little short of 50,000L, but on the previous calls on the A series there was still due 82,555L on shares, and 23,000L on company's bonds. The last call was in February.²³ The next or 5th call, in June, would amount to 167,362L 10s on shares, and 55,800L on bonds; the 6th, in October, to 167,882L 10s on shares, and 56,160L on bonds; the 7th, in February, 1856, to 167,942L 10s and 56,200L, and in June in that year, the 8th, to 167,982L 10s and 56,200L, making a total of 247,300L (sic) in bonds, and 753,725L on shares of 1,001,085L in all, due from the shareholders on A series. Adding again the balance of the Government guarantee, 435,231L, it gave a sum of 1,436,316L, the whole amount to be realized from it.²⁴ It would be seen at once, that this would not cover the amount advanced by the contractors and bankers, and raised on the bills payable and bills of exchange. He would now take up another side of the question, and show the amount of work yet to be done on the several lines between St. Thomas, east of Quebec, and Stratford, west of Toronto.

Between St. Thomas and Point Levi,	76,340L
" Montreal and Toronto,	1,431,416
" Toronto and Stratford,	286,590

In all, 1,794,346L

That was the whole amount now required to finish the line now in progress from St. Thomas to Stratford. Add to this the present liabilities of the company, which he had before adverted to, of 1,286,327L, and allow 200,000L for interest to be paid by the company while the works were in progress, and they had 3,280,673L representing the total liabilities of the company for the completion of the whole work. To meet this, there was

Due on A series of shares and bonds,	1,001,085L
Balance of Provincial Guarantee,	435,231
Additional Provincial Aid now sought,	900,000
Balance to be made out of the B series,	944,357

Total, as above, 3,280,673L

The contractors having agreed to take up the B series, he conceived it would be no hardship to pay them from that source to the extent of 944,357L, as stated above. If the House agreed to give this additional 900,000L, the total amount of Provincial

guarantee still to be issued would be 1,335,231L, or something under three-fourths of the expenditure still to be made before the works were finished. This amount he proposed to apply solely to the prosecution of new work from this period, the first of May, the new aid being distributed in the proportion of fifty per cent. on work undertaken and carried on subsequent to this date. The question had been raised, whether the estimate of the expenditure still to be made was so strictly accurate as to be depended upon. In reference to that he would say that there could be no inducement on the part of the engineers to make too slight an estimate of the work to be done, and moreover it was the intention of the government, if this vote was acquiesced in, to have the whole unfinished work estimated by the most experienced engineers in this Province before any further money was advanced, in order that the country might be satisfied, and the Government freed from any suspicion that they were too hasty and ready to make further advances without sufficient reflection and care. By this arrangement, the guarantee being extended as the work advanced, the more they drew upon the provincial funds, the greater security would they have that the work would be finally completed, without any disappointment either to this House or to the country. He had little more to add at this stage of the debate. He need not now state what must be evident to every one that it was only after mature deliberation and a great deal of anxious consideration that the Government had concluded it was their duty to come down and ask this additional aid. The original embarking in this enterprise was not the act of the present Government, and they were now merely discharging the duty which devolved upon them, and from which they could not shrink, of making provision to fulfil the engagements of the country, and to protect its credit and financial standing. He could not conceive a more disastrous course to pursue, than to say they were prepared with no scheme in the present exigency, that they had no confidence in the work, that they saw no way of getting out of the difficulty, and were prepared to let it slide, or to say, let us wait till we see if the contractors can complete their work, and if they fail to do so, we will then look about and see what can be done. But it would be too late to do so then, it would be shutting the door after the steed was stolen. He considered it would be most unwise for this Province to put its credit on the hazard of the die of the company and the contractors being able to carry out the work without additional assistance. And what did the company ask for? They did not ask for a gift, but simply for the extension of the guarantee to an amount not exceeding what in less prosperous times had been given to the Northern and Great Western Companies. And on what grounds could they base their refusal to deal as generously with the British shareholders who had embarked their capital in this undertaking, as they had dealt with Canadian stockholders in this company. If they refuse the aid sought for, they must do so on one of two grounds, either that the company had behaved in such a manner as to be entitled to no indulgence or liberality at the hands of the Province, or else that the security was so worthless that further advances could not be made upon it. But there was no reason in the world for fixing on British shareholders anything like a charge of trifling with us or speculating upon us. The only ground of refusal then that remained was that the whole line when finished from Montreal to Portland, and from St. Thomas to Stratford, would not be worth the Provincial guarantee of 3,111,000L,²⁵ viz:--the 2,211,500L already granted and the proposed 900,000L--²⁶ that it would be unsafe for the Province to lose 3,111,000L on the security of the whole line. If, assuming that to be correct, they refused the aid, and allowing the work to be stopped, were called upon to finish it themselves, they certainly could not finish it at a less cost than by granting this aid to the British Company to do so. And more than that, he would appeal to any one versant in such matters, whether in any case of the transference of a partially

completed contract from one hand to another, it could be completed without an additional charge to the original contract. No one could now take it out of the hands of Messrs. Peto, Brassey & Co and finish it for the same sum as they the present contractors could do. But, supposing they undertook to finish it themselves, from what sources would they raise the necessary funds? Certainly, they could not raise two millions out of their surplus revenues in two years. They would have to go as borrowers to the great emporium of wealth, to London, to obtain the means of finishing the railway themselves. And would they be able to get the monied men of England to advance 2,000,000L, on the security of the very line, which, according to this supposition they did not themselves consider a sufficient security for the loan of half that amount, or 700,000L? Unless then they really believed that they could make out a good case for refusing this aid, he trusted honorable members would deliberate seriously before they rejected a proposition which he considered of the utmost importance as affecting the finances and credit of the Province.²⁷ He hoped not a single member of the House would urge this argument that if we could take advantage of the necessity of the company, it would be our opportunity to make a profit by taking the road into our own hands. He believed that Canada would not take advantage of the confidence of English shareholders in any such way.²⁸ Nothing would have a more disastrous effect on our future credit. It became a great Province like Canada to deal with such a subject in a just but liberal spirit; it would best consult its own interests by so doing.²⁹

MR. J.S. MACDONALD (Glengary) said that the statement now given by the Inspector General as to the position of the company shewed that he had given the subject much study and attention. But he submitted that in a matter of so complicated a nature, the statement he had now made should have been placed in the hands of the House days ago in the shape of a Report, that the figures and calculations which the Inspector General had now laid before the House, might have been digested and well considered by every member. (Hear, hear.) However ably and clearly the Inspector General had made the statement, it was utterly impossible for any member to follow him so rapidly in all his figures and calculations, as to satisfying himself as to their relative bearings. Even the printed tables which had been in their hands for some days had failed to throw much light on this complicated question, except to parties already initiated. He understood there were to have been other papers printed which would have explained more clearly the figures given in the statements and correspondence. However the House had gleaned enough from the information now communicated by the Inspector General, to know pretty well the condition of the company and the difficulties which beset them. Had the same candour and frankness been shown last December, when the ministry came down to ask additional aid, had they fairly explained the embarrassments which then surrounded the company, and the difficulties in which they were placed, hon. members would not have had so much reason to complain, but could have deliberated on the application on its own merits³⁰ while the country was in a still better position to dictate terms, and could have dealt with the interests involved as frankly as now, but in a more advantageous manner for the public interest.³¹ But at that time he saw there was something behind, which was kept concealed from them, and he warned the House that the aid then sought was but an instalment, but a prelude to what was to follow. (Hear, hear.) When he made that statement, how was he met? The Inspector General quietly sat still, with the consciousness that he was not the party to blame for the difficulties which had overtaken the enterprise. And to-day he repeated that it was not the present administration which had originated the undertaking. He granted that, but regretted that the hon. gentleman had not assumed then the position he had done to-day. When

pressed to explain what his views were, he permitted the member for Montreal, (Mr. Holton,) the present Provincial Secretary, (Mr. Cartier,) and the member for Renfrew, (Mr. Hincks,) to take the lead in the whole of the Grand Trunk matter. All the Inspector General would say was that he thought the aid then granted would be sufficient, and that he did not think the company would ask for more. Either the hon. gentleman was then misled himself as to the true state of matters, or important information in regard to the position of the company was kept back from the House which ought to have been communicated. Why was Mr. Peto's statement now printed, and dated 2nd May, 1854, not submitted to the House when the last aid was asked for? That statement was laid before the directors at the time the member for Renfrew and the late Governor General were in London, and yet not a word was heard of it. Why was it that this House was so imposed upon at that time? The Inspector General had given no explanation why they had then been kept in the dark. It was much to be regretted that the statements now made had not been submitted before the recess, in which case hon. members would have had ample time to consider the position of the company, and to learn the feelings of the country on the subject, so that now they would have been fully prepared to meet the scheme which was for the first time submitted to their consideration. (Hear, hear.) If they now found that they had been gulled with this magnificent project, they had the consolation that probably, they had been served no worse than many other parties had been by the railway companies in England which had ruined hundreds and thousands, and brought on, some years ago, such a general bankruptcy, that it became necessary for the Legislature of England to interfere. On the very back of those disasters, after the mania ran out in England, it appeared there was a resting place for it here, and that Canada furnished a theatre in which those parties might play a similar part. So the grand scheme was broached of a railway from Halifax to Sarnia. Numerous visits were made to Halifax and England to carry out this mighty scheme, which had dwindled down to the position in which they found it in 1855, of a bubble burst. (Hear, hear.)³² Here the honorable member read from a speech of the Honble. Mr. Hincks in Halifax³³. In February, 1852, the honourable member for Renfrew, who had since protested in the strongest terms against the Government having anything to do with railways, made a speech to the Nova Scotians, in which he endeavoured to show that that was the only mode by which the great scheme could be carried out. And the honourable John Young on the same occasion declared that to give the control of the Grand Trunk to a company would be to give a private body too much power, and that the result would be that the Government would be controlled by the company instead of the company being controlled by the Government. Precisely the position of matters now! (Hear, hear.) The company was controlling the Government, and the Government had to come down to the House for the means to enable the company to carry out the grand scheme originated in 1852. True! the country had escaped that disastrous scheme in the shape it was first proposed, than which nothing could have been more ludicrous. In proof of which they had only to look to the results obtained from the Quebec and Richmond Railroad, to judge of the engineering skill and calculation evinced in a scheme for a railroad by Trois Pistoles through the wilderness to Halifax, which had it been constructed, it was evident would not have been worth the keeping up. The country escaped from that disastrous scheme but to get into another only less disastrous. And yet the scheme excited great enthusiasm throughout the country. Eulogistic addresses were passed to the great schemers and those encouraging the speculation,³⁴ and the glowing terms in which this grand scheme was put forward; that it would pay eleven per cent.,³⁵ so much so that if there could have been an election for an Emperor of this country, it would have been next to certain that the party at the head of the concern would have been elected. Thank fortune they had escaped from

that catastrophe. But what was the next step? An attempt was made by the member for Renfrew to borrow money in England, and they all knew how the member for Renfrew broke off the correspondence with Sir John Pakington because he thought it required too much time to negotiate, and he had unfortunately fallen in with Mr. William Jackson of Birkenhead. (Hear, hear.) The member for Renfrew fell at once into the splendid scheme of that gentleman, and immediately came back to this country to carry it out, bringing Mr. Jackson along with him. His honourable friends behind him, (Messrs. Holton and Galt,) took a manly stand on that occasion and endeavoured to put down the bubble. In the strongest language they could employ they told the country what would be the result of the scheme, just as had since happened, although they had at last had a hand in it themselves. Those gentlemen showed the best security for their constructing the Kingston and Toronto line at 6,500L a mile, but the late Inspector General affected to depreciate Canadian enterprise, and was determined that the whole thing should go into the hands of Jackson & Co. And it was only when those honourable gentlemen succeeded in getting an amalgamation effected between the St. Lawrence and Atlantic, and Montreal and Kingston lines, and had joined with gentlemen of the highest respectability like the Hon. Mr. McGill and Mr. Moffatt, whose influence would have gone against Jackson's scheme--the member for Renfrew was then glad to come to terms with the hon. gentlemen behind him, and with the stockholders of the enterprise, so as to induce them to give up their charter. And then came down the Grand Trunk scheme of a railway from Trois Pistoles to Sarnia. The Grand Trunk proper was to have been between Montreal and Toronto, 345 miles. But it was very easy to see why it was to be taken to Trois Pistoles, not that any profit was expected from it, but for the purposes of enlisting the votes and influence of parties in that section of the country, who had to be gulled like others with the notion that this Grand Trunk Railway was to be the making of the Province. He would like to know why the members for Kamouraska and other counties below Quebec entered into the project, but because of this road to Trois Pistoles. There was no trade in that district to warrant the construction of a Railroad, and, as might have been predicted, the works below St. Thomas had been abandoned, and abandoned for ever. Nor had they any more intention now of going to Sarnia than they had of going to Trois Pistoles. But he had maintained that on the conditions on which the company proposed to do the work, and on which the Province advanced its guarantee, they had ample means from the A. series and from the credit which the provincial bonds gave them to finish the Grand Trunk proper. But not content with that, they went into a scheme for building the grand junction between Belleville and Peterborough, and then they bought the Guelph and Toronto, the Quebec and Richmond, and the Atlantic and St. Lawrence lines. Instead of keeping faith with the Province they entered into those speculations. They were not requested to do so, but as soon as they organized the company under the name of the Grand Trunk, they brought all those schemes into operation, because they wanted an outlet to the ocean. They knew when they got their charter as well as they did afterwards that they could not get an outlet by going to Trois Pistoles, but they must needs look about them, and they bought a road that was in a bankrupt condition, whose stock was down 50 per cent.³⁶

MR. GALT.--So is the Grand Trunk Stock.³⁷

MR. J.S. MACDONALD.--But it was not so then, and that did not at all contradict his assertions. It appeared that Mr. Ross went to England with plenipotentiary powers to act for this Province. Who was it that gave him those powers? It appeared it was the company, those who were at the bottom of the scheme, who chose

him, and sent him over to England along with his hon. friend from Sherbrooke (Mr. Galt.) They managed the thing cleverly, the stock was raised, and the grand amalgamated scheme was ushered into the English market. It might be said it was with their own money that those purchases were made, but that money, the Province when it gave the charter, had a legitimate right to expect would be applied to finishing the Grand Trunk proper from Montreal to Toronto. But the company had paid more attention to the Quebec and Richmond and the St. Lawrence and Atlantic lines than to the Grand Trunk proper, and the result was that they had now got into difficulties from which they asked the Province to extricate them by granting an additional aid. But what right had they to claim this? Had not the Province of Canada performed its share of the bargain? Had it not done more than its share? But had the company fulfilled their part of the agreement? Certainly not. They had gone into needless speculations which had embarrassed them and now they asked the House to help them out of those difficulties, by giving them besides what they got in the end of the year a further grant of 900,000L sterling. They complained that 800,000L of reserve shares of the A series were not taken up by the Canadian shareholders. But was there any evidence before the House that those shares were ever offered to Canadian stockholders? Was any communication made with the stockholders of the Toronto and Guelph, the Grand Junction or the St. Lawrence and Atlantic, that those shares were reserved for them? Shares which were then selling at 1 or 2 per cent premium? Whose fault was it that 800,000L was not taken up? He found that the late Inspector General got 30,000L allotted to him, whether that formed a part of the 800,000L he did not know. The hon. gentleman said that he himself did not know of it. It could not have been he then who asked that that amount should be reserved for himself, or the 800,000L for Canadian stockholders, and he would like to know by whose authority it was done. But the proposition now before the House was that the Province should advance this company out of the provincial funds an additional guarantee of 900,000L. And what were the grounds on which they were to give this aid? Did the company say they would not go on with the work, or did the contractors say they would not go on with it? No such thing. In the correspondence submitted to the House they did not once say that they were going to stop operations, if they did not receive this grant. But it came to be a serious question, when they came to consider all the mismanagement which had marked the proceedings of the company, whether they should trust them with this additional amount, or whether it was not now time for the province to take the matter into its own hands, and finish it with its own means and out of its own resources.³⁸

MR. S. SMITH (Northumberland).--Nonsense!³⁹

MR. J.S. MACDONALD.--The hon. member for Northumberland said nonsense! When the hon. gentleman's constituents heard of this proposal to throw away another 900,000L sterling of the people's money, he ventured to assert that they would not say nonsense! But hon. members when away from their constituents could say and do almost what they pleased. The Company now asked 900,000L, besides which they had to receive more than 400,000L not yet expended, so that altogether according to this proposal they would still receive near 1,400,000L of the Provincial guarantee beyond the 1,700,000L already expended. The Inspector General said it would take 1,800,000L to complete the works, 1,300,000L to free the company from their other liabilities, and that adding something for interest, it would take altogether⁴⁰ 3,280,673L⁴¹ to finish the road. But what security had they that the same mismanagement and extravagant expenditure which they had hitherto seen on the road, would not be continued? For no one who had watched their proceedings could admit

the truth of the eulogiums passed on the company by the Inspector General and Mr. Killaly that they had prosecuted their works vigorously and with economy. If he felt satisfied, which he did not, that they would get out of the difficulty in which they were placed, by giving this additional 900,000L, he might be induced, so far as his vote was concerned, to give it. But he was convinced that the granting of the 900,000L would only enable the company to come down yet again, and ask the House to advance a further sum, which they would then be in a worse position to refuse, than if they would now look the matter fairly in the face, and act from a regard to the true interests of the province. They would then be in a worse position than they were now, to tell the company to go on and finish the work according to their agreement, and if they failed to do so, the Province had energy and perseverance enough, and sufficient men and means within itself to finish the work, without expending strength on undertakings which would never pay. Instead of making this grant now, he would suggest that a committee be appointed to make a searching investigation into the present state of the affairs of the company, and the state and progress of their works. He was satisfied the result would be to show that the work done had not been of such a description as to warrant the high praise given it by the assistant commissioner of Public Works. He complained of the manner in which the House had been treated in this matter by the government. Why was the scheme not brought down a month ago, that they might have had time to consider it and learn the views of their constituents in regard to it, instead of keeping them in the dark so long, and now forcing the proposition upon them and compelling them to legislate upon it at the very close of the session. But even already they had pretty good indications of the state of public opinion in regard to the scheme. What were the papers saying about it? Not a single organ of public opinion in Upper Canada had come out in favour of granting this money to the Grand Trunk.--(Hear, hear.) If the scheme had been brought down before the recess, he ventured to say that now they would have had their table loaded with remonstrances against it, and that they would have heard of public meetings in all parts of the country protesting against the scheme. Even the organ of the Prime Minister himself, the Hamilton Spectator, decidedly the ablest organ of the government, denounced the scheme, commencing with the remark that "this gigantic job is again before the country in all its deformity," and it went on to say that the government had better make the company a present of all they had got, than advance another thousand pounds, and that petitions should be got up and public meetings called with a view to putting an end to such a system of public plunder. (Hear, hear.) Another organ published in the city of Kingston, which was represented by the Attorney General, spoke of having seen a long train of trucks and barrows going to be sold by public auction, furnishing, as it said, a striking illustration of a Mammoth Humbug Exploded. (Hear, hear.)--Such was the language used by newspapers speaking public opinion in the constituencies represented by the hon. Premier and the Attorney General West. The government should have brought down this matter earlier, instead of taking the country by surprise with their scheme, and not affording the people an opportunity of communicating with their representatives on the subject. He charged the government with acting unfairly in keeping it back until it was too late for the people to remonstrate by petitions. (Hear, hear.) The hon. gentleman then read from a document emanating from Messrs. Galt and Holton in 1852, in which they predicted the utter failure of the Hincks, Jackson scheme, their predictions having now been fulfilled to the very letter. He (Mr. M.) had felt all along that the province would suffer in this matter. The moment that scheme was propounded and embraced he felt that an Incubus was laid on their energies. It was said that the money spent had done service to Canada. No doubt it had, but that money had been raised on the credit of Canada,

and he believed the credit of Canada had suffered in consequence of taking in such unhappy schemes as the Quebec and Richmond line, which did not pay expenses, and could not be kept open once a day between Quebec and Montreal. That was the sort of security on which the province had advanced its money, and was such a transaction, he asked, likely to raise its credit?⁴² He wished to draw the attention of the House to another fact--that under the contract the stations were all to have been built of brick or stone, but recently orders had come out, sub contractors stopped in their labors and the stations ordered to be built of wood instead. He believed, however, that when they found public opinion had commenced to be stirred against this change, fresh orders had been again issued to go on with the brick and stone buildings. This was a specimen of the manner in which the work was to be done, he supposed.⁴³ The Inspector General asked if it would be fair to take advantage of the confidence of the English shareholders who had embarked capital in the undertaking? But the province had already done more than it had bargained for. In fact they were told at the outset that the province would not be called upon for anything, that they need not trouble themselves, but Mr. Jackson would do the whole. Now Mr. Jackson had disappeared from the affair, and was never heard of in connection with it. But let the wealthy firms of Baring & Glynn, and Peto & Brassey bear the responsibility of the embarrassments they had brought on themselves, by choosing to keep back stock which they might easily enough have floated off at par on the English market. The only effect of the aid now sought being refused would be to throw that stock into the market, and give the company an opportunity of disposing of it. Say what they would, he repeated that out of doors there was an almost unanimous condemnation of the scheme, and yet he had no doubt the Government would get their supporters to pass it through. Had they asked two millions of money, they would have got it just as readily. (Hear, hear.) He believed the feeling of the people of Upper Canada and of Lower Canada also was that they would rather take the contract into their own hands than make any further advances, and, although he had little expectation of his motion carrying, he felt it to be his duty to move a committee to make a thorough investigation of the true state of the case, before the House should decide what course to take in the circumstances in which the matter was now placed.⁴⁴ The committee would investigate the whole matter, not only for the good of the people of Canada, but for the good of the people of England; and then it would be found how far this country should give further assistance; and from all the circumstances, he believed that there were but few men who knew anything about the grand scheme which gulled the people of England with 11½ per cent., who would deny that an investigation was not necessary. If this was not done, there would be hundreds of other reasons for this company coming down next year again.⁴⁵ He believed, however, Mr. Baring had been taken by surprise, when he saw his name in the prospectus, and protested against the use which had been made of it.⁴⁶ When Mr. Baring saw his name to the list of Directors, he (Mr. MacDonald) had reason to believe that that gentleman stated, it so appeared without his authority.⁴⁷

MR. HINCKS. There is not a word of truth in the assertion.⁴⁸

MR. J.S. MACDONALD. He would communicate his authority privately to the hon. member, and he thought he would admit he had not made the statement without good authority for believing it true.⁴⁹ He admitted that the Inspector General was in a position of embarrassment. He had entered on office, as he did formerly, surrounded by embarrassments. By joining the coalition he had purchased all the liabilities and bad debts of the late administration, and this was one of their legacies. (Hear, hear.) He was not surprised that the coalition were beginning to find that

it was a bad bargain they had made, in being obliged to take up every scheme of the late ministry, and carry it out in defiance of public opinion. (Hear, hear.) Was not the present scheme condemned by public opinion; he would like to see one honourable member stand up and declare that he was advised by his constituents to support this 900,000L vote. (Hear, hear.)⁵⁰ Nevertheless he had to do something though they were bound down by the action of the financial agents of the Province in England, who were in fact the chief holders of the stock of this Company. These persons it w((a))s who declined to act up to their engagements. It was not the Province which repudiated their contract but these persons, who, in fact had been the cause of all the trouble. The name of Messrs. Glyn, and Messrs. Baring, were on the prospectus issued to the people of England, and if they had not kept the stock back and allotted a certain part only, the whole would have been taken up. There was no security that the money now asked for would be well laid out--why, before the next demand should be made the present ministry even might be out of office. The road too would be a long time before it paid. The St. Lawrence and Atlantic did not do so, and in fact no railroad paid in this country; the sum would, however, no doubt be granted, for it would be said that we must now get out of the scrape into which we had fallen.⁵¹ The honorable gentleman proceeded to urge other considerations, derived from the past proceedings of the company, in favor of the appointment of a committee, before which, he said he was prepared to prove that the whole road when made from St. Thomas to Quebec, from Quebec to Montreal, and thence to Stratford, would scarcely for years and years to come pay running expenses, and that the province so far from being repaid the principal of the loan, would not even get the interest. He therefore begged to move in amendment, "That the Speaker do not now leave the chair, but that it be Resolved, That before this House shall be called upon to pledge the further aid of 900,000L sterling, or any sum out of the public revenue, to the Grand Trunk Railway Company of Canada, the most searching and an ample inquiry by a special committee should be instituted into the condition and affairs of the said company generally, and especially in respect to the 1,776,268L sterling, of the provincial guarantee advanced to that company up to the 20th January last; and to any additional sums that may have since been paid; also into the general management and conduct pursued by the said company in relation to the carrying on of the works on the several branches of the said railway, and to obtain more correct evidence than at present exists, that the character of the works is in accordance with the terms of the contract with Messrs. Peto, Brassey, Betts, and Jackson; and further to ascertain how far the proffered security of the amalgamated Grand Trunk Railway can warrant a further advance."⁵²

(962)

The Order of the day for the House in Committee to take into consideration the expediency of granting further aid to the Grand Trunk Railway Company, being read; The Honorable Mr. Cayley moved, seconded by the Honorable Mr. Attorney General

(963)

Macdonald, and the Question being proposed, That Mr. Speaker do now leave the Chair; The Honorable John Sandfield Macdonald moved in amendment to the Question, seconded by Mr. Brown, That all the words after "That" to the end of the Question be left out, in order to add instead thereof the words "before this House shall be called upon to pledge the further aid of Nine hundred thousand pounds sterling, or any sum out of the Public Revenue, to the Grand Trunk Railway Company of Canada, the most searching and ample enquiry by a Special Committee should be instituted into the condition and affairs of the said Company generally, and especially in respect

to the One million seven hundred and seventy-six thousand two hundred and sixty-eight pounds sterling, of the Provincial guarantee advanced to that Company, up to the 20th January last, and to any additional sums that may have since been paid; also, into the general management and conduct pursued by the said Company in relation to the carrying on of the works on the several branches of the said Railway, and to obtain more correct evidence than at present exists, that the character of the works is in accordance with the terms of the Contract with Messieurs Peto, Brassey, Betts, and Jackson; and, further, to ascertain how far the proffered security of the amalgamated Grand Trunk Railway Company can warrant a further advance;"

And a Debate arising thereupon;

MR. S. SMITH (Northumberland) said the question for the House now to consider was not, whether there had been mismanagement on the part of the company, or whether the amalgamation when it took place was or was not a right thing, but simply whether they should now step in and assist the undertaking or have it stopped. He believed his constituents would be the first to support him in the course he proposed to take of voting for this grant. The hon. member for Glengary was always ready to find fault with everything else that every other body originated. He had taken that course in reference to the Commutation clause of the Clergy Reserve Act, and he took the same course now in reference to the proposition before the House of assisting the Company out of their difficulties⁵³. ((He)) did not intend to follow the member for Glengarry into the question of amalgamation. Being one of those who resided on the North Shore of Ontario, he felt very anxious about this question. It was very well for the member for Glengary and others who, like him, resided in the Eastern portion of Upper Canada, who were sure of having a railroad, to oppose this grant which would enable other portions of the country to get the advantage of railroad communication. The member for Glengary had for some time been prophesying all sorts of evil to befall this road, and the country, in consequence of its connection with it. He (Mr. Smith) did not think it was the duty of a Canadian to be continually holding up the dark side of the picture, and proclaiming to the world that the Province was fast approaching bankruptcy. Honorable gentlemen were good at finding fault, but they seldom troubled themselves with the more arduous and more honorable duty of suggesting remedy. The member for Glengary had not always been correct in his calculations. A few weeks previous to the Session he had made calculations to be on the Treasury benches.⁵⁴

MR. SOL. GEN. H. SMITH.--He wanted to get the middle seat, and did not wish to act on either side.⁵⁵

MR. S. SMITH, of Northumberland.--It was objected that the company had purchased iron, and thus invested funds which it was now seen they had better have retained. It was not shown that the Grand Trunk Company had purchased iron at any other than a proper time. Had they not purchased it when they did, it might have been objected that they had not taken advantage of the market to purchase their iron.⁵⁶ That gentleman ((Mr. J.S. Macdonald)) had said that perhaps he would give the 900,000L if he were sure that that expenditure would complete the work. If that were so the hon member ought to have waited till he saw the bill and was able to judge of the guarantees that it would contain. If he knew anything about Messrs. Holton and Galt, to whom reference had been made, he was sure the pretension respecting them was incorrect. It was alleged that those gentlemen would have been able to build the road between Montreal & Kingston before this. If that were true how was it that it had been found necessary to extend the guarantee over the road those gentlemen were now constructing.⁵⁷

MR. HOLTON.--The Kingston road had right to the guarantee.⁵⁸

MR. S. SMITH continued and said that he had no doubt the member for Glengary--now on the other side of the House--would have, if in the Ministry, been just as ready as Mr. Cayley to introduce this measure. It was plain that railroads could not be built without funds, and the company showed they could not go on any further. Yet the hon. member said their (sic) was no danger of stopping⁵⁹ ((OR)) that we should permit the road to stop before we came forward with any assistance.⁶⁰ But if assistance was not granted the road was blasted for ever, and that done, every other railway in the country, together with all public enterprises, would be stopped.⁶¹ Such a course must prove injurious to the credit of the country. It was not an easy matter to permit credit to be lost to-day and revive it to-morrow. Such a course would make us a butt for the sneers of other countries. He thought the company had not acted wisely in making the extremities of the road first. It would be conceded that in order to make the road pay, it must be well conducted, and at least the main road through the country must be completed.⁶² Let members for Lower Canada reflect upon this, that even at present all the wheat, flour, and other produce of Lower Canada was leaving the Canadian route for the United States⁶³. During the last three weeks, not less than 30,000 barrels of flour and 60,000 bushels of wheat had entered the port of Oswego from the Western Company. Had the road been completed, that flour would have come to Montreal and Quebec, as it was, not a barrel had yet come down. If the road were not completed, the people of Upper Canada must make New York their market and shipping port instead of Quebec and Montreal.⁶⁴

MR. MERRITT said he looked upon this as the most important question which had come before the House during the present session. (Hear, hear.) The first point the House should satisfy itself upon was whether the management of the Company had been such as to entitle them to the confidence of this House. He was not going now to find fault with them about the amalgamation--it was enough for him to know that in 1852 they obtained a charter to build a railroad, and that up to this moment in 1855 they had not built one mile of it, and now the Government came down and asked that the debt of the Province should be increased another million, to give further aid to the Company. In 1849, the Government of which he was a member established a railway policy, under which they were to extend aid to all parts of the Province alike, every railway company being entitled to receive the Government guarantee of 50 per cent, under certain restrictions, so soon as 75 miles should be completed. That was a just policy, treating all parties of the country alike, instead of as now augmenting the Provincial debt for the sake of one Company in England. On the 1st April 1847 Earl Grey intimated to the authorities of this country, that the Imperial Government would lend the public credit for the construction of canals and railroads in this Province, and the Railway Committee in July following recommended that the offer go accepted. This gave rise to the policy of 1849 to which he had alluded. In 1851 a magnificent scheme was entered into to construct a main line of railroad through this country from Halifax, to be built under the direction of the Government on obtaining the credit of Great Britain. Various negotiations took place, and ultimately the late Inspector General went to England to complete them, and to obtain the credit of the Imperial Government. But after an interview with Mr. Jackson, he wrote to Sir John Pakington stating that he had reason to believe that a private company would build all the railroads in Canada, and from Nova Scotia through New Brunswick, from Halifax to Maine. Sir John Pakington indicated that he would extend the credit of the Imperial Government only on the railway being carried along what was known as Major Robinson's line,⁶⁵ a road through British

territory⁶⁶ on which the late Inspector General broke up the negotiations with the British Government, after which, Mr. Jackson soon made his appearance in Canada, a gentleman of extraordinary capacity, and one whom the people of this country would have cause to remember for years to come. (Hear, hear.) This gentleman, aided by the late Inspector General, obtained an Act of Parliament by which the company was to receive a guarantee of 3,000L per mile, to be issued in the proportion of 40,000L for every 100,000L of money laid out in the works, and not according to the previous policy of the Government of only issuing the guarantee after so many miles of the line were completed and in running order.⁶⁷ But what was very cleverly arranged was this that the said act referred to another act in such a way as to allow of the Provincial bonds being exchanged for the bonds of the Company, so that the condition of the payment at the rate of 40 per cent was virtually annulled, and the Government handed over the Provincial debentures at once.⁶⁸ But the company professed that their means were so great that they probably would not require the guarantee, and procured the insertion of the 29th clause, authorizing them to renounce the guarantee if they chose not to accept it. It was represented the company never expected to make use of it, and only wanted it to produce more confidence in the undertaking in England. Well, the company was formed, and the province was given to understand that a capital of 9,500,000L was to be taken up in England. But how was their capital composed? In Canada they called capital the amount of money that was to be raised from shareholders, and when they borrowed money they called it a loan. But not so with this company, whose capital they found to be composed of the loan this province made, and the loan they made themselves, only one half of the whole, the share stock, was capital in the proper sense of the word. The provincial debentures composed one quarter and the company's bonds the other. The interest of the money paid on those bonds to induce English capitalists to take shares, was paid out of the Government's debentures, the basis of the whole scheme being the public money of Canada, which they procured by the proviso referred to--obtaining debentures in advance.⁶⁹ What, in fact, did all the paid up capital amount to? Instead of 9,000,000L, 800,000L.⁷⁰ If there was then, a prospect of the province receiving any remuneration for the money expended, he would support the proposition of the Government, but he did not believe that the road would ever yield one farthing of profit. It had been one series of blunders from beginning to end. The first great blunder was leaving it without a terminus at either end⁷¹ ((OR)) they undertook the Trois Pistoles road which was useless without a connection opened with New Brunswick. 2nd. They undertook the Victoria Bridge at a cost of 1,500,000L, the interest on which was 90,000L while the Niagara Suspension Bridge was built at a cost that only amounted to an annual interest of 10,000L. The third blunder was commencing the road west of Toronto before securing the co-operation of the Great Western. Was it to be tolerated, should we be thus treated. Had the Company gone and built the road between Montreal and Kingston like men of judgment they would have been entitled to assistance.⁷² The company now said that their embarrassments arose from the war in Europe. But were they not all aware that the stocks in England had not depreciated on that account, that the stocks of the United States were at a premium, that New York, as well as other states, now command a premium of 17 per cent. Had this province got 15 or 17 per cent. premium for its debentures, they would have had no difficulty in making this railroad themselves, but instead of that they had taken it out of the hands of Canadian contractors and placed it in those of this English company. The honourable gentleman proceeded to show from the history of railroads in the United States and elsewhere, that the location of the Grand Trunk being such as it was, it could never profitably compete with water conveyance.⁷³ It appeared by the report of the State engineer of New York that railroads could carry at the

rate of 3 cents a mile and canals at the rate of 1 cent per mile. However the present system of building roads was expressly intended for the profits of the large contractors who made immense contracts at a great price and let them out to others, who got very little.⁷⁴ The road would not pay nor was it likely to pay as experience would show, nor any other road running beside such a river as the noble St. Lawrence. If the roads were given to our own contractors, they would be more cheaply built. From Brockville to Kingston down, there would be a chance of ... the road paying by proper management. He believed that it would not answer the expectations of its projectors and he would vote against any aid being given.⁷⁵

MR. ROBINSON complained that no other scheme had been suggested by hon. gentlemen opposite of getting out of the difficulty than that which proceeded from the government. The government, he believed, would be obliged to them to suggest any better scheme. He did not think the member for Lincoln, (Mr. Merritt), would have been well pleased if on former occasions he had been treated by the house in the same spirit as he proposed they should deal with the Grand Trunk. Over and over again he had had to apply for additional aid to the Welland Canal, and he had received it. He (Mr. R.) had great difficulty in acceding to the original proposition of giving a guarantee of 3,000L a mile, but once embarked in it they must carry it through⁷⁶. ((He)) could testify to the superior character of the road being constructed by the Grand Trunk Railway Company. He had travelled over certain portions, and found it to be superior to any road he had ever seen in America.⁷⁷ He considered it would be far cheaper to give this further aid, than to break the contract, and undertake the finishing of the work themselves.⁷⁸ Every one of experience knew that there was nothing more expensive than the constant changing of contractors.⁷⁹ The road was sure to pay at least four per cent. and that was sufficient to secure the Province from loss. He would frankly tell the Inspector General, however, that unless his bill contained ample safeguards for the proper expenditure of the money he would vote against it.⁸⁰

MR. FREEMAN understood that these contractors had undertaken to build the railroad, and that before the amalgamation all the aid they expected on the roads mentioned in the original contract was 3000L per mile. When the stock was taken up, the subscribers undertood that the 3000L per mile was to be the only charge upon their stock⁸¹ ((OR)) the Provincial guarantee of 3,000L a mile would be the first charge on the road, and that the stock they took would be the second charge. He understood also that the contractors had held out much more glowing prospects of the profits of the undertaking than the circumstances of the case warranted. Had they considered the amount of traffic that had been previously conveyed between Quebec and Richmond and between Quebec and Trois Pistoles or St. Thomas, they could never have held out such a glowing prospect of returns as they did. He believed there had never been so much as a small steamer plying between Quebec and St. Thomas to carry passengers, that there had never even been a stage running to that village. And how the idea could be spread abroad of a railroad to such a point as that being a paying concern he could not conceive. The same observations would apply to the road between Quebec and Richmond, as the experience of that road for the last few months had amply proved. Neither that nor the line to St. Thomas could ever be run but at a dead loss to the stockholders. In those circumstances the prospects of the shareholders of receiving a dividend were not very great, and if besides the original guarantee this new loan of 900,000L was thrust in as a preferential lien on the road, they would have a just right to complain.⁸² Before creating a new charge which would come in before them, he would like to know whether they were willing

that that should be done. Had the stockholders asked the province to relieve the contractors from their liability? Were they parties to this application? How would the province stand if it made the advance without their consent? Would not the province, by taking this other million of stock, give the shareholders a good chance to ask to be relieved entirely. He felt too that the road was not a sufficient guarantee for the money that the province had already and was yet to advance, though doubtless the country might be indirectly a great gainer by having the road, but this question ought to be raised now, so that if an advance were made it should not alter the position of the shareholders.⁸³

MR. MARCHILDON spoke in opposition to the government scheme.⁸⁴

MR. TURCOTTE ne se lève pas pour discuter la question, mais il veut seulement provoquer des explications de la part des membres bas-canadiens de l'administration sur cette nouvelle demande de 900,000L qui lui paraît fort considérable. Un des membres de l'administration (M. Cauchon) disait il y a quelques années, que le Haut-Canada avait la part du lion en tout, et que le Bas-Canada n'avait rien. Ce même membre a proposé des résolutions dans lesquelles il disait que lors même que la garantie provinciale serait donnée aux chemins de fer de Halifax et à celui du nord, le Haut-Canada en aurait encore une plus grande part, qu'il aurait encore la part du lion.⁸⁵ How was it now then that that gentleman did not tremble (frémir) with indignation when he heard the proposal for a further grant of 900,000L, the chief part to be expended in Upper Canada, especially when he also heard the member for Northumberland enforce it by the threat that unless this were accorded, all the produce of Upper Canada should be directed to the United States⁸⁶--car tout cela n'est que pour le Haut-Canada. Les membres du Bas-Canada ne voient pas sans ombrage qu'on donne tout au Haut-Canada. Que devient le Bas-Canada? Il voudrait avoir des explications du secrétaire provincial,--non pas des explications de cabaleurs, comme il en donne depuis le commencement de la séance, ni de solliciteur du Grand Tronc, mais des explications franches et ouvertes, dignes d'un ministre et d'un homme d'État, et qu'il vienne dire s'il est encore le président du chemin de fer du nord. Il demande aussi des explications des hon. commissaires des terres et des travaux publics (MM. Cauchon et Lemieux), qu'ils viennent dire à la chambre pourquoi ils n'ont pas insisté à ce que les intérêts du Bas-Canada fussent sauvegardés, pourquoi ils ont courbé la tête devant les chimères de leurs collègues du Haut-Canada, lorsqu'ils étaient en position de commander et d'agir dans les intérêts du Bas-Canada?

Toutes les explications que nous avons pu obtenir, c'est que si nous refusions cet octroi, nous étions menacés de deux calamités: la première c'est que le Grand Tronc va tomber, et la seconde c'est que le ministère va tomber. (Rires.) Voilà les deux grands malheurs dont on nous menace! (Rires.) Si les hon. commissaires des terres et des travaux publics eussent été des hommes de coeur, ils auraient profité de l'occasion pour travailler dans les intérêts du Bas-Canada, et ils auraient résigné si on n'avait pas voulu nous donner notre part de garantie, et alors tout le Bas-Canada se serait rangé autour d'eux. Mais non, quand on est dans l'administration,--on voit les choses tout différemment de ce qu'on les voyait avant, et on plie le cou sous la volonté des membres du Haut-Canada sans faire la moindre résistance. Il y a une trentaine de membres qui ont demandé à ces messieurs de ne pas oublier le chemin de fer du Nord, et ils ont aujourd'hui même provoqué une explication dans un caucus, mais ils nous ont dit qu'il ne fallait pas donner la garantie au chemin de fer du Nord, parce que ce grand nombre de débentures mettrait la province en discrédit sur les marchés anglais. Pour les chemins du Bas-Canada, on craint de diminuer le crédit de la province, mais quand on vient demander un

million de louis pour le Haut-Canada, on ne craint pas le moins du monde que cela affecte notre crédit: au contraire, cela le maintient!

Mais qui demande ce secours? sont-ce les actionnaires du Grand Tronc? et la province peut-elle avoir une préférence sur eux!⁸⁷

MR. PROV. SEC. CARTIER.--C'est un prêt qu'on leur fait, et les actionnaires seront les débiteurs.⁸⁸

MR. TURCOTTE.--Ah! c'est un prêt que vous leur faites! Mais qui demande ce prêt sont-ce les actionnaires ou les contracteurs? Ou bien est-ce parce que Baring vous dit qu'il est dans un embarras financier que vous faites ce prêt? Répondez donc!⁸⁹

MR. PROV. SEC. CARTIER.--Si la compagnie ne le demande pas, on ne le lui donnera pas.⁹⁰

MR. TURCOTTE.--Vraiment, j'admire cette réponse. Quelle sollicitude de la part du solliciteur du Grand Tronc! Comment on vient nous demander de voter un million de louis en cas que la compagnie en ait besoin et sans qu'elle le demande! Il lui semble qu'il n'y a pas tant de presse à voter ce million puisque la compagnie ne le demande pas. En vérité, c'est pitié de voir des ministres vouloir convaincre des hommes avec des raisons de cette force! Il en appelle aux membres du Bas-Canada de ne pas voter pour cette proposition, qu'elle (sic) qu'en soient les conséquences pour le ministère qui en a fait une question ministérielle, car des ministres qui négligent à ce point les intérêts du Bas-Canada ne méritent pas d'être soutenus; et pour sa part il sait que ses électeurs ne le rééliraient jamais s'il votait pour une telle monstruosité. Que diront les membres du Bas-Canada à leurs électeurs s'ils votent cette proposition? Ils diront qu'ils ont donné 900,000L au Haut-Canada sans qu'il fût nécessaire de le faire, et lorsque le Haut-Canada est déjà sillonné de canaux et de travaux publics de toutes sortes, faits aux dépens du Bas-Canada. Parce que c'est pour le Haut-Canada, il faut voter cette somme avant même qu'on la demande ou qu'on en ait besoin. Ceci n'est pas une question de finance, c'est une question de rivalité.⁹¹ Those who objected to grant the aid to the North Shore did so because they feared to create a rival to the Grand Trunk Railroad on the south side.⁹² Il ne dira pas que la province ne peut pas donner ces 900,000L,--il croit qu'elle peut les donner,--mais il veut que le Bas-Canada ait sa part, surtout du côté nord de Québec jusqu'à Bytown, qui a toujours été négligé.

C'est une injustice faite à la population du Bas-Canada, et si l'administration continue d'en agir ainsi vis-à-vis d'elle, elle ne tiendra pas longtemps.

Il espère que les membres bas-canadiens de l'administration donneront les explications qu'il a demandées, et que le secrétaire provincial dira s'il est encore solliciteur du Grand Tronc, car ces deux offices sont incompatibles et il ne peut pas être indépendant comme membre du gouvernement en étant employé de la compagnie.⁹³

MR. HINCKS after remarking on the gravity and importance of the question now before the House, both in respect to its bearing upon the stockholders of the Company and on the future welfare of the Province, said that the plan submitted was the one which had suggested itself to the Government as the only way which, after mature reflection, they thought could be adopted for extricating the Province from the difficulty in which it was placed.⁹⁴ As to the ground taken by the parties opposed to the proposition of the Government, it appeared from the speech of the hon. member for Glengary who had assumed this evening the prominent part of leader of the Opposition, that they might expect from the regular Opposition--from that

party which looked forward to assuming the Government of the country whenever any change should take place--that from that party they could expect nothing but antagonism to the English capitalists who had interested themselves in this undertaking, who for a long series of years had been the financial (sic) agents of the Province, who had negotiated all the credits of the country in England, and with whom in his opinion it was of the greatest importance that this Province should remain on satisfactory terms.⁹⁵ On the other side there were the menaces of parties like his friend who had just spoken, and who were influenced, as he himself frankly acknowledged, by rivalry to the Grand Trunk. The member for Glengary had commenced his speech in an extraordinary manner, by saying the Province had made a most fortunate escape from what he called the disastrous scheme of a railroad between Quebec and Halifax, and yet, in the next breath, bringing it against him (Mr. Hincks) as an accusation, that by his correspondence with Sir Joo. (sic) Pakington, he had been the means of knocking that scheme on the head. If there were any truth in the disastrous picture drawn of the first scheme, then it must have been most fortunate that he (Mr. H.) prevented it from being carried out, since the whole basis of the aid to be given by Great Britain was the carrying out of the road from Quebec to Halifax, and it was never intended to do more than to give Canada the surplus of a fixed sum for that purpose.⁹⁶ The hon. gentleman should at least have thanked him for relieving this country from that most disastrous scheme. The whole tone of the remarks of the hon. member for Glengary and the hon. member for South Wentworth had been to depreciate the merits of the railways in the Eastern part of the Province, and to speak as if it had been a fortunate thing that the line between St. Thomas and Trois Pistoles had been abandoned--although he emphatically denied that either that or the road to Sarnia had been abandoned. But assuming that the Quebec and Richmond would not pay, and that the Quebec and St. Thomas line would not pay, it would at least be admitted that it was of importance to the interests of the Province to have a railroad from Quebec to Richmond⁹⁷. As to the guarantee for that road, it was acquired independent of and before the Grand Trunk scheme. If these roads were not paying concerns⁹⁸ the loss would principally fall, not on this Province but on the English shareholders. From the experience they had had already, he believed there was no danger whatever of any loss accruing to the Province from the Grand Trunk undertaking. The traffic on the Montreal and Portland Road was not as yet fully developed, but was such as to warrant the expectation that before long it would pay six per cent on the capital. And if the western lines paid better than the eastern, as he believed they would, the Province would be quite safe, as regarded the guarantee already advanced, and that now proposed. He regretted the spirit in which this question had been met. In the first place honourable members were doing their best to make people in England believe that the railroad works in this country would not pay. Was this a wise thing, when it was English capital they had to depend upon for the construction of their great public works? The shareholders of the Grand Trunk had been assailed in no measured terms by the member for Glengary as if they were a parcel of speculators, who had merely gone into the scheme to make money out of it, and the hon. gentleman spoke as if it was right for the Province to deal with them in the most illiberal spirit, and refuse to do anything to improve their position. He (Mr. H.) did not think it right that they, as representatives of the people of Canada, should talk in that manner of persons who had put their capital into our undertakings. He believed they all desired that those persons should get a fair return for their money. If through their own mismanagement they failed to get a fair return for their money it would be their own fault, and they would have no cause to complain if their dividends were not exactly what they had expected. But members of this House had no right to speak in those

terms of gentlemen, than whom a more respectable body of proprietors did not exist, or who had carried out more faithfully all they undertook to do.⁹⁹ It was said that certain members of this House could have carried out this road; but notwithstanding his respect for the talents of the gentlemen alluded to, he denied that the stock of the Company could have been brought out under better auspices than those which it enjoyed.¹⁰⁰ Eight individuals had subscribed 928,000L sterling--Messrs. Glyn, Baring, Peto, Jackson, Mills, & Co. They had faithfully paid up their calls and asked no favour of any kind from this Legislature. (Oh! Oh!)¹⁰¹ Then as to the contractors, the member for Glengary said that one of those gentlemen dare not show himself in the Province; but after all what had they done. First a great deal was said about their exorbitant prices; but what was the fact as to the railroads which had been finished so far? Why the road to Island Pond had cost 11,500L per mile, and that thence to Portland 11,700L per mile, whereas the Richmond road had cost only 9,000L per mile. The Great Western, though he admitted that that road was probably more difficult than any part of the Grand Trunk, had cost 14,000L per mile. As to wasteful expenditure he would not deny the fact; but that was the loss of the contractors themselves and they could not be supposed to desire to throw away their money. As to the contracts, few now would pretend they were too high, and he was sure his hon. friend for Sherbrooke would not have entered on them with all the responsibility attaching to the assumption of the B series of stock.¹⁰² He held that the contractors had done nothing to bring down upon themselves the abuse with which they had been assailed. They had never repudiated any part of their agreement, and the reason why they had not taken the B series of shares was because the company were afraid that throwing them on the market would injure the A series, but they were still ready to take the B bonds in payment.¹⁰³

MR. J.S. MACDONALD (Glengary) they never meant to take that.¹⁰⁴

MR. HINCKS gave a flat denial to the assertion. They were ready to take 150,000L as payment of the amount now due to them, and they must take 900,000L under the agreement, which the Inspector General brought down that evening. Again it was said that the municipalities might have built these roads, but whenever they had done so they had done it upon terms far less favorable than those which the province had made. They had never secured a first mortgage for their advance, and had generally had to take stock. Now considering the rise in the price of labor and all the charges that had been made upon these stocks and bonds, the contractors had got very little indeed in the way of profit. Some newspapers had opposed this scheme from the first. They had represented the prices of the contractors as extravagantly high and yet these very same papers gloated over the prospect of the contractors being ruined--that was what they desired from the first. The contractors came forward--some of them at least--quite as much for the advantage of the province as to make money, and they bound themselves to take this¹⁰⁵ B series¹⁰⁶ of stock and bonds. When he was in England last, war was just on the point of breaking out, and the position of things had undergone a great change. There never was any repudiation by the contractors of their obligations to take the stock and bonds. Only 40 per cent, however, of the A series of stock had been paid up, and it was necessary to sustain the holders of that series. The managers of the company believed that there could be nothing worse than to have their value lowered, and they therefore desired an arrangement to prevent the B series from being forced on the market, since if they were the result would be the ruin of the A series. At the present moment the stock of the company was at 50 discount in the province. He could not say at what rate it sold in England; now, with 40 per cent paid up and

the stock at 50 discount, it was plain that stockholders would forfeit their stock rather than continue their payments and there would have been a total forfeiture. An arrangement was therefore made under which the B series were not to be put on the market before the 1st January 1856 and were to be in the mean time locked up by the Messrs. Glynn. At the same time certain portions of the works as were judged most convenient were stopped. This he mentioned¹⁰⁷ ((because)) from what had been said about the diffusion of the guarantee before the recess, one would have supposed that the Province had then done some really munificent act, while the fact was that the Act of Parliament then passed did not give the Grand Trunk one shilling more of additional guarantee than what they were entitled to before, but simply spread it over the line.¹⁰⁸ At any rate the directors before calling up the instalments on the A series, pledged themselves that the B series should not be put on the market before a certain time, in the meantime calling in the instalments of the A series as promptly as the terms of the prospectus would allow. The calls had been made and well paid and he repeated the contractors were now as they ever had been, ready to take the B series of stock to the extent of 900,000L¹⁰⁹ ((OR)) 450,000L and to carry out all the work, so as to give a complete line of railway between St. Thomas and Stratford.¹¹⁰ In this he was not going on vague assertion, but with contracts entered into with solvent contractors, ready to carry out their undertakings. He was assured that on the Quebec and Richmond road the contractors had lost large sums, but they made no complaint, and they were ready to proceed. Some of the anticipations of the company had certainly not been realized. The expenditure on the St. Lawrence and Atlantic had exceeded what was expected, but so far from the contractors being interested in that they had not made a sixpence by it, since it had all been done by other hands, while they were deprived of the means which had been diverted to that direction. Here the hon. gentleman read from a list of the stockholders to shew that altogether the contractors held stock to the amount of 280,000L. Now, it had been asserted that he spoke of the great wealth of these gentlemen, as being able to build all the railroads themselves. He would only reply that if any person thought that any contractors could build all the railroads of Canada out of their own pockets, such a thing never entered into his head. It was an enormous charge for any firm to carry--the 1,200,000L of stock and bonds which they held--coming too after the first mortgage in favor of the province, and without some imperative necessity constraining the province to act otherwise, it ought to behave towards such men in a generous spirit--men who were constructing works, whether extravagantly or not, to the extent of 5,600,000L sterling, upon which the province advanced only 1,768,000L. Even now the amount asked for was but 50 per cent on the capital required, and it was impossible that the arrangement should not be an admirable one for the province, which so far had not been called on to pay anything, though the member for Maskinongé talked as if it were giving this money away. The consent to this request then would be only an act of generosity to persons embarked in this enterprise, especially if, as alleged, the enterprise was not going to pay. However, if it were true that these roads were to be miserable failures, that was not the opinion entertained by any man in the community three years ago.¹¹¹

MR. BROWN.--Oh! oh!¹¹²

MR. HINCKS did not know what the member for Lambton might have said.¹¹³

MR. BROWN would show what the member for Oxford said.¹¹⁴

MR. HINCKS.--Well, if the honorable member thought at that time that these roads in the East would not pay, it was extraordinary that he wanted to build a road between Quebec and Halifax, and that he condemned him (Mr. H.) for breaking off that bargain. The member for Glengary had spoken of articles in the newspapers, and said that if time were allowed there would be petitions against the scheme; but with all his respect for the newspapers and for petitions, he did not think the writers and signers could be good judges of these things without hearing what had to be said on the subject. The present ministry, however, was free to judge without bias, as they were not committed to the scheme, and as the Attorney General had opposed it, and they had adopted this as the best thing that could be done.¹¹⁵ He could not see any necessity for the course proposed in the amendment.¹¹⁶ He would not follow the member for Glengary throughout; but the complaint he had made about the change from stone to wooden stations amounted to this--there were 35 stations between Montreal and Brockville; but in consequence of the extension of the demand it was intended to put up 20 more. To avoid expense the cost originally intended for the 35 was distributed over the whole. That was the arrangement made by the Directors in England; but no sooner had the Directors in Canada heard of it then they intimated to the Chief Engineer that it would not be permitted. As to the information to the public, there had been more given than with respect to any other company, and the charges of collusion between the contractors and the company were absurd. The company could have no other desire than to see the work fairly carried out; to satisfy themselves they had sent out recently a special engineer, and they were quite ready that the Inspector General should have any assistance from engineers that he might desire. As to the slow progress of the work between Kingston and Toronto, he was informed that a great deal had been done there, and that the bridges would very shortly be ready for the girders. Now there were some persons who said; but let us refuse this aid and the work will still go on. Let any such persons look at the position of the company's affairs, and they would see that they could not go on. Before sitting down he would make an appeal to those who like the member for Maskinongé were influenced by a spirit of rivalry with the Grand Trunk Company. Such persons fell into a great error if they supposed that their single favorite measure could be taken up separately. If he knew anything of the feeling of the House it was certain that if the North Shore scheme, or the Ottawa scheme were once brought down, you would have numerous demands of a similar kind for roads in Western Canada, and you would have to embark in another gigantic sea of railroad enterprise, and that at a time when the Province was pressed with difficulties ensuing out of a scheme on the success of which that of many others in the Province depended.--¹¹⁷ He asked if it were a wise course to oppose those through whose aid alone any thing could be done? That was for the gentlemen to whom he alluded to consider, and if the majority of the House should take that course, he believed the people they represented would have cause to regret it. The proposition of the Inspector General ought to be assented to unanimously. The Government had come down with this as the best expedient in the circumstances in which the Province was placed. No one had suggested anything else, and if the works were once suspended, it would be a most serious misfortune--as they could not be suspended and taken up again the next day, as easily as some gentlemen seemed to suppose.¹¹⁸

MR. BELLINGHAM ... :--It was charged by the Hon. Mr. Hincks that a large party in Canada had from the first evinced hostility to the Grand Trunk Company. They were filled with envy when they found the Grand Trunk was to gain by their contracts: and when reverses came, they gloated over the prospect of running that Company. As far as Mr. B. was concerned, it was no part of his duty to attribute

impure motives to any man, and he did not pretend to interpret any man's thoughts. He could but speak for himself, and be responsible for his own words. Now he declared most emphatically he would regard it as a sad calamity to the country if, by any mischance, those English gentlemen who had invested their means in Canada, for the purpose of fostering what must be regarded as a national enterprise, if those parties sustained such losses as would deter the flow of capital to this country, and every honorable minded man must feel that it was especially the duty of the Provincial Parliament to carry out with fidelity every obligation contracted; but, leaving these general grounds, and discussing the question before the House, he (Mr. B.) was not disposed to grant to the Grand Trunk the enormous sum of 900,000L now asked for. He had no idea of sanctioning a policy which showered the wealth of the Province on one corporation, for works to be constructed in one section of the Province, thus drawing invidious distinctions, and ignoring the claims of one fifth of the population to grant aid in favor of a railway line from Quebec to Bytown. Mr. B. believed that the hostility evinced towards the Grand Trunk Company sprung partly from the arrogant tone of the Grand Trunk employers in their intercourse with the people of Canada, and their avowed depreciation of native talent; but, apart from those secondary considerations, it could not be disguised that a number of the leading men of Canada viewed with alarm and apprehension the growth of a powerful corporation, backed by Government aid to the extent of millions, spreading out its branches to catch political influence in almost every county in Upper Canada, and coming into this House with such a band of political supporters, that the liberty of the country was endangered. A glance at the map would illustrate the skill and ability with which the network of proposed railway branches had been located throughout Upper Canada, and the powerful support the Company employed in this House was the best proof that the country members were not insensible to the seductions of Grand Trunk. One reason why Mr. B. especially objected to the present proposition of 900,000L aid, was that he regarded the policy of the Grand Trunk as disastrous to the development and progress of the most important section of Canada--that region known as the valley of the Ottawa. Mr. B. continued and asserted that, reviewing the vast policy of the Western members, it seemed conclusive to him that there was a settled design to block up the lower end of the Ottawa valley, and divert the traffic towards the Ontario and the St. Lawrence. He would cite as evidence the construction of the Ontario and Huron Railway, under the Government guarantee to tap the track of Georgian Bay. The steady refusal of the Government, under plausible excuses, to enlarge the Grenville Canal--thus effectually repulsing the traffic which would naturally flow down the Rideau Canal and the Ottawa. The retention of the contracted locks at St. Anns; and only recently the construction by the Grand Trunk Company of a bridge over the Ottawa at St. Anns, which seems placed as if expressly to impede the entrance of sailing vessels into the locks, while that bridge is built at an elevation less than the law prescribes, whereby the interests of those engaged in the navigation of the Ottawa will be damaged, and the heavy freight traffic forced by a circuitous route. In point of fact, it seemed as if the territory extending along the North shore of the Ottawa was to be sacrificed to suit the policy of the dominant political party. He (Mr. B.) regretted that on so important an occasion as the present he stood almost alone in the House to vindicate the rights and claims of the region in question. He was satisfied that the electors would not submit to be made the victims of any party, and his convictions on the subject were so strong, that even if the Ministry was composed of his nearest relatives and most intimate associates, he would aid in driving them from office, unless they did justice to the Ottawa. Hon. Mr. Hincks says:--"You must prove that you can command a profitable traffic before you can induce English capitalists to take

up an Ottawa Railway." Mr. B. met the proposition by asking--How came it to pass, that if the Ottawa traffic was so valueless, the subordinates of the Grand Trunk Company had taken all the stock in the Vaudreuil Railway, and were now actually asking this House for an amendment to that Railway, extending the line 60 miles West, and altering the name to the Ottawa Grand Junction? What meant those operations? Were they merely to delude the Ottawa electors of the South shore, or were they sincere? and if sincere, what became of the sneer at the Ottawa trade?--and how was it proposed that the stock should be raised, when the Grand Trunk itself was now asking a further aid of 900,000L? Mr. B. did not deny that the Government had authorised an expenditure to improve the navigation of the Ottawa; but mark the policy which guided them--did they improve the navigation below Bytown?--quite the contrary; they leave the navigation blocked up at Grenville and St. Anns--spend the money at the Chats--and the result will be, that the traffic must pass down to Prescott there to nourish the Grand Trunk line. The Brockville and Ottawa will be another tap, and last comes the Ontario and Huron Railway, built under Government aid. Mr. B. believed that the difficulties of the Grand Trunk were caused by mismanagement and folly;--instead of confining their attention to the line from Montreal West, they purchased the St. Lawrence and Atlantic road, which cost two millions, and absorbed another two millions to put it in working order. They build a road from Point Levi to St. Thomas, which is a perfect absurdity unless continued; and the important road, leading West from Toronto, they stop at Stratford in the midst of the forest. The member for "Renfrew" says:--"If the Government aid the Ottawa Valley Railway, no end of other Railways will be claimants for like favors and the credit of the Province will thus be destroyed. In reply, Mr. B. contended, that Western Canada never objected to the principle of Government aid until the Great Western and the Ontario and Huron had been built under that policy and the contract for the G.T. was closed. Now, of course, it was convenient to those gentlemen who had obtained all they wished to resist the claims of the Ottawa Valley--but Mr. B. contended that there was no necessity of impairing the credit of the Province--all he asked was a grant from the vast domain stretching between the upper waters of the Ottawa and Georgian Bay, of one million of acres--assistance in this form would secure the construction of a Railway from Quebec to Georgian Bay--promote the prompt settlement of the waste lands, and positively improve the credit of the Province. It might be argued that the Richmond Railway removed the necessity of a North Shore Railway from Quebec to Montreal. Such was not his opinion. He admitted that if the St. Lawrence was bridged at Quebec, the argument would be plausible, but from the hour that Montreal was selected as the site for the bridge, from that hour--the construction of a Railway on the North became an imperative necessity to Quebec. Mr. B. could not comprehend the silence of the Commissioner of Crown Lands at this crisis. He was regarded as the symbol of North Shore interests; he was allied with men imbued with a lively determination to advance the prosperity of Quebec and force on the construction of the North Shore Railway. Yet, thus far, the Honble. Commissioner preserved an ominous silence, though no one was better able to point out the expediency of assisting the Ottawa Valley Railway by a grant of the waste land of the Crown. In conclusion, Mr. B. remarked that it was unfair to charge members with distrust of the Grand Trunk, when Messrs. Barings, only the other day, sent an engineer and lawyer to Canada to investigate and report for their private information, upon the condition and operations of the Grand Trunk. If Messrs. Barings sought for information and explanations, was this House not entitled to the fullest details, before voting 900,000L? But whatever might be the result of that vote, Mr. B. felt that it was the duty and the interest of this Province to extend as liberal a protection as was consonant with public interests, to

those British capitalists who had--trusting to the honor and good faith of Canada--invested their means in her public works. His first impulse was the maintenance of good faith, and then let impartial justice be awarded; but, when measuring out that justice, he felt confident the undoubted claims of the Ottawa Valley could not longer be disregarded.¹¹⁹

MR. BUREAU.--Je m'attendais que l'hon. membre pour Renfrew donnerait à cette chambre des explications satisfesantes (sic) pour nous engager à voter l'aide que l'on demande pour le Grand Tronc. Car, je le crois la personne qui connaît le mieux les transactions et les affaires de cette compagnie dont il est lui-même un des actionnaires,--j'ai espéré en vain, le discours de cet hon. monsieur ne nous a rien appris, rien révélé. La première proposition qu'il a cherché à prouver, c'est que si, par malheur, nous allions refuser d'engager de nouveau le crédit de la province, c'était ruiner le crédit de la province. C'est-à-dire que pour avoir beaucoup de crédit, il faut beaucoup s'endetter et s'endetter sans doute de préférence pour le Grand Tronc. Nous devons actuellement en Angleterre en bons ou débentures non rachetées une somme de..... 9,234,605L 16 1

Et pour prouver que nous
connaissions quelque chose
en fait de finance ajou-
tons.....

1,000,000 0 0

10,234,605 16 1

L'argument de l'hon. monsieur ne peut guère me convaincre; et il n'est probablement pas sérieux, en nous avisant ainsi pour établir notre crédit auprès des capitalistes anglais. Il (M. Hincks) a voulu nous persuader que l'entreprise ne peut être faite avec économie que par une compagnie anglaise; car on a déjà construit en Canada des railroads sous la direction des directeurs canadiens qui ont coûté entre 11,000L à 12,000 par mille. Il est possible qu'on ait été extravagant dans certaines entreprises; mais aussi on ne peut pas nier qu'il y a eu des chemins de construits sous la direction des directeurs canadiens qui ont été construits avec la plus grande économie, et sans l'aide de la garantie provinciale.

Il (M. H.) voit encore la ruine des actionnaires et des contracteurs, si la législature refuse d'accorder une nouvelle aide au Grand Tronc. Et la province seule n'aura rien à perdre. Voyons donc quelle confiance l'on doit avoir dans les déclarations et les protestations des personnes qui agissent pour la compagnie du Grand Tronc.

Quand dans la première partie de la session on demanda une aide à la législature pour nous engager à voter pour cette proposition, que nous dit-on alors?

Je citerai ici mot à mot ce qui nous était promis par sir Cusack Roney, la position honorable de ce M. me semblait une garantie de la sincérité et de la vérité de ses allègues (sic).

"La ligne de Montréal à Brockville, environ 125 milles, sera ouverte en septembre 1855. La ligne de Québec à St. Thomas, 40 milles sur la section des Trois-Pistoles, sera aussi ouverte en septembre 1855. La section de Brockville à Kingston, environ 50 milles, et de Kingston à Whitby, environ 140 milles, en septembre 1856. La ligne de Whitby à Toronto, environ 36 milles, sera presque certainement ouverte en septembre de l'année suivante. On a intention de l'ouvrir, mais je ne veux point parler de cette partie avec autant d'assurance que je le fais des autres sections. La section de Toronto à Stratford, 90 milles, sera ouverte le ler octobre 1855."

On nous promettait alors l'exécution des travaux du Grand Tronc, tout ce qu'on demandait c'était d'accorder une nouvelle garantie pour le Grand Tronc égale à 40

par (sic) cent. La chambre hésita, mais finalement vota une nouvelle aide. Et les partisans du Grand Tronc ne devaient plus solliciter d'aide pour compléter ces travaux. On connaissait alors la crise financière occasionnée par la guerre d'Orient, les difficultés dans lesquelles se trouveraient la compagnie du Grand Tronc et les contracteurs, mais on ne jugea pas alors de faire connaître que l'on viendrait dans deux mois ajouter un nouveau million à l'aide que la législature accordait peut-être sans assez de considération et avec trop de bonne foi; car la législature aurait probablement refusé l'aide qui lui était demandée puisque nous n'aurions pas eu l'assurance du succès de cette entreprise.

Aujourd'hui on vient encore comme dans la première partie de la session jurer qu'avec cette aide d'un million les travaux seront faits en remettant à un temps indéterminé la confection du Pont Victoria, et 235 milles de chemin. On nous a déjà trompé et sommes-nous certains qu'on ne ((nous)) trompera pas encore? Sommes-nous certains que dans la prochaine session on ne demandera pas un autre million?

Pour ma part, je suis parfaitement convaincu que le million qui nous est demandé ne suffira pas pour garantir que les opérations du Grand Tronc soient continuées; et la preuve c'est que les travaux du Pont Victoria, évalués à un million et demi seront discontinués, et plusieurs centaines de milles de chemin, dans le cas même que nous accorderions la nouvelle garantie.

J'avoue que l'avenir du Grand Tronc me paraît encore un problème à résoudre, et j'avoue que le discours de l'hon. membre pour Renfrew me fait croire qu'on ne doit pas beaucoup compter sur l'avenir du Grand Tronc, à moins que, d'année en année, la législature ne soit disposée à secourir le Grand Tronc.

Je reviens à la question principale:

La somme de 900,000L strg. million courant, qui est maintenant demandée sous forme de garantie provinciale doit-elle être accordée à la Compagnie du Grand Tronc du Canada? De cette question il en découle beaucoup d'autres, et ce ne sera qu'après un mûr examen que je voterai sur la proposition qui nous est maintenant faite. Je ne pense pas qu'il y ait dans l'enceinte de cette chambre un seul de mes honorables collègues qui ne soit animé du désir de promouvoir les intérêts généraux de cette province, en développant les nombreuses ressources que la providence a mis((es)) à notre disposition. Ainsi chacun envisagera la question qui nous est soumise avec toute l'attention que mérite un sujet aussi important, et pour ma part, je n'envisage cette question que comme une question financière, une question de la plus haute importance.

La première question qu'il faut considérer est de savoir si la législature doit intervenir (sic) ou s'occuper d'une entreprise (sic) particulière de chemin de fer pour laquelle elle a bien voulu prêter son crédit.

Il faut remarquer la différence entre une entreprise particulière et une entreprise coloniale. Dans le premier cas, la législature n'est aucunement responsable. Dans le second cas, si la colonie fait une entreprise, elle est tenue d'en poursuivre les travaux pour satisfaire aux exigences du contrat qui la lie à telle entreprise. Le Canada n'est pas engagé à titre d'actionnaire dans la compagnie du Grand Tronc, et n'a d'autre intérêt que la garantie qu'il accorde à cette compagnie, laquelle ne produira un((e)) obole pour le trésor public; au contraire nous serons bienheureux si nous ne sommes pas un jour tenus responsable de millions de louis stg à cause de l'inhabileté de nos hommes d'état qui se sont montrés excessivement extravagants puisqu'ils viennent nous dire qu'ils se sont trompés sur les résultats d'une entreprise qui est menacée d'une complète banqueroute, d'une entreprise qui a avorté, si le crédit de la province ne vient au secours de la compagnie ou plutôt des contracteurs.

Si la législature vient au secours de cette compagnie et des contracteurs, elle ne fait qu'un acte de libéralité--mais là elle n'y est point tenue. Je ne sais pas

jusqu'où va la libéralité de mes honorables collègues--mais je me permettrai de leur observer qu'il y a beaucoup d'autres entreprises qui méritent une égale protection, et que si on engage indéfiniment le crédit de la province, qu'on paralyse par là toutes les autres entreprises du Canada, et qu'on retardera par cela même le progrès du Canada. Il n'y a pas que les entreprises de chemins de fer qui sont propres à développer les ressources (sic) du pays--Nous devons nous occuper de la colonisation, nous devons désirer voir nos forêts disparaître((nt)) sous la hache des colons pour y voir ériger de belles et riches paroisses. Nous devons désirer la prospérité de l'agriculture, qui seule peut faire la richesse du Canada; nous devons désirer la prospérité de l'agriculture qui fournit abondamment tous les moyens de subsistance, et qui en donnant à l'état des citoyens laborieux et vraiment patriotes, fait le bonheur des familles et des sociétés.

Le commerce ne doit-il pas aussi avoir sa part au trésor public? Nous ne devons pas ignorer qu'il nous faut améliorer la navigation du St. Laurent; que nous devons souhaiter de voir dans nos ports les vaisseaux de toutes les nations pour l'exportation de nos produits, et attirer par la voie du St. Laurent, au moyen de nos canaux, les riches produits de l'ouest, et qu'il nous faudra probablement relier les eaux du lac Champlain et du St. Laurent, et faire bien d'autres améliorations pour faciliter le commerce. Est-ce que nous ne devons point avoir nos manufactures coloniales? À cela je réponds que nous devrions avoir nos manufactures; mais je comprends que la mère-patrie a des intérêts contraires aux nôtres, qu'elle a besoin de ses colonies pour leur fournir le produit de ses manufactures, et qu'elle verrait avec jalousie toute entreprise de ce genre qui serait propre à lui nuire. Comme l'Angleterre aime à endormir les Chinois, de même aime-t-elle à nous faire boire son porter et à nous habiller de ses étoffes de toute espèce. Je crois bien que ce serait en pure perte faire un appel aux honorables ministres pour attirer leur attention sur cette branche d'industrie, car je suis persuadé qu'il((s)) n'oseraient pas le faire. Il est donc inutile d'espérer qu'on gardera une part du crédit ou du trésor de cette province pour l'établissement de manufactures coloniales.

Si nous répartissons avec équité et justice la garantie provinciale, pourquoi prodiguer toutes nos faveurs, toutes nos ressources pour une seule compagnie. Est-ce que nous n'avons qu'à nous occuper du Grand Tronc? Je crains que l'influence du Grand Tronc ne soit déjà trop puissante dans le gouvernement et dans cette chambre; il serait peut être nécessaire, en présence d'une telle influence, de dire quel bien et quel mal fera le Grand Tronc, dans son présent état d'organisation.

Je sais les avantages qui résultent d'une voie ferrée, je regretterais de paralyser aucune de ces entreprises et spécialement celle du Grand Tronc. Mais a-t-on besoin du secours de la Législature pour venir en aide à cette compagnie?

Si Sir Cusack Roney a dit la vérité, comme on n'en doit pas douter, il nous donne les informations suivantes:

En répondant aux questions qui lui furent faites en octobre dernier devant le comité des chemins de fer:

28. Voudriez-vous expliquer comment est distribué le capital entier de la compagnie du Grand Tronc, et combien sur ce capital a été payé en plein?--Le capital total est de 9,500,000L? Sur ce montant, comme je l'ai déjà dit, 8,083,600L ont dû être prélevés à Londres, en avril 1853. Ce capital comprenait en actions, 4,181,400L--en bons de compagnie, 2,090,700L.--et en débentures provinciales, 1,811,500L; sur ce capital il a été payé: sur les actions 883,156L,--sur les bons de compagnie, 553,327L,--et sur les débentures de la province, 735,417L; 605,800L, en bons ont été émis, savoir:--67,500L, pour la section du St. Laurent et de l'Atlantique, 250,000L pour le chemin de Québec et Richmond, 288,300L pour les sections de Montréal et Toronto, et de Québec et Trois-Pistoles, en tout, 605,800L.

La différence entre le montant des débetures provinciales et le montant donné pour ouvrages faits se trouve entre les mains des agents de la province; elle est de 425,416L. La balance des 9,500,000L comprend le capital prélevé avant l'union des compagnies suivantes: Le St. Laurent et l'Atlantique,--actions, 246,000L,--bons de la province, 400,000L, et autres bons 233,000L,--total 879,100L.--Le Québec et Richmond, en actions, 305,000L--en bons, 100,000L--le Toronto et Guelph, en actions, 132,300L.

Le capital de cette compagnie est donc d'un million et demi.

Sir Cusack Roney donne le résultat suivant sur les moyens ou l'actif de la compagnie en sterling:

1o En actions	4,181,400L	
2o En bons de la compagnie	2,090,700	
3o En débetures provinc.	2,211,500	
	<hr/>	8,483,600L
	8,483,600	
4o Ce que l'on propose de donner aujourd'hui par une nouvelle aide de la province	900,000	
	<hr/>	9,383,600L
	9,383,600	

La compagnie du Grand Tronc aurait donc à sa disposition une somme de 9,383,600L sterling.

Maintenant voyons les engagements et les travaux du Grand Tronc:

Pour construire les chemins des	
Montréal à Toronto 345 milles pour	3,000,000L
Belleville à Peterborough 50 m pour	400,000
Toronto à Sarnia 172 m pour	1,376,000
Richmond à Québec 100 m pour	650,000
Québec aux Trois Pistoles 153 m pour	1,224,000
Pont Victoria pour	1,500,000
	<hr/>
	7,150,000L (<u>sic</u>)
Prix du chemin du St. Laurent et de l'Atlantique	1,350,000
	<hr/>
	8,500,000

RECAPITULATION:

Actif	9,383,600L
Passif	8,500,000
	<hr/>
Balance	883,600L

Il y aurait donc un excédant de 883,600L sterling en faveur de la compagnie du Grand Tronc en lui donnant même crédit pour les dépenses qu'elle a faites depuis l'union avec le chemin de fer du St. Laurent et de l'Atlantique.

Cette compagnie avec les moyens qu'elle ((a)) à sa disposition et qui viennent d'être énumérés et qui n'a que 290 milles de terminés sur 1112 milles que comprend maintenant le Grand Tronc, serait d'après la commune renommée, et d'après les documents soumis devant cette chambre, dans la nécessité de suspendre ses travaux, si la Province ne consent à voter la somme de 900,000L sterling.

Je crois que ces faits sont suffisants pour nous faire croire que le Grand Tronc doit être construit exclusivement par la Province. Sir Cusack Roney nous dit ((en octobre dernier)): "... 8,063,600L ont dû être prélevés à Londres en avril 1853." Je ne sais pas quelle interprétation donner à cette réponse. La seule interprétation qui puisse se concilier avec la position dans laquelle se trouve le Grand

Tronc, c'est qu'on avait mis en vente soit en débentures ou bons une somme qui, jointe à celle que payeraient les actionnaires, formerait 8,083,900L stg. Il faut croire que la compagnie du Grand Tronc a complètement échoué dans ses négociations financières; il faut croire que les capitalistes anglais n'ont aucune ou du moins peu de confiance dans la solvabilité de la majorité des actionnaires qui sont tous, à très peu d'exception, des actionnaires de la Grande Bretagne. Ces actionnaires doivent être connus des capitalistes anglais, et ils sont d'excellents juges quand il s'agit d'affaires financières. Il paraîtrait que nous ne serions pas tout-à-fait blâmables si, à l'exemple de ces capitalistes, nous exigeons de la part de la compagnie du Grand Tronc, avant de lui mettre à sa disposition 900,000L stg. un état de ses affaires, tout en nous donnant le temps de faire les investigations nécessaires, 1. Sur les dispositions des contrats de messieurs Jackson, Peto, Brassy et Betts et des autres contractants qui se sont engagés à compléter le Grand Tronc et le pont Victoria.

2. Sur la solvabilité ou l'insolvabilité des actionnaires.

3. Quelle est la valeur des bons de la compagnie et quelle perte elle a pu essuyer en les négociant?

4. Où ces bons ont-ils été négociés et peuvent-ils être négociés, et à quel taux?

5. Comment a-t-on disposé de nos débentures provinciales, et à quel taux?

6. Quel espoir avons-nous que ce chemin payera les dépenses et le remboursement de ses bons et de nos débentures?

En apportant la même sagesse, la même prudence pour les affaires publiques, qui nous sont confiées par le pays, que nous apportons dans nos propres affaires, nous ne voterions pas aveuglément la somme qui nous est demandée sans avoir au préalable exigé toutes les informations que nous devrions connaître.

On veut exiger de nos maisons d'éducation un état de leurs affaires avant de leur accorder une aide,--quand il s'agit d'un 50L ou d'un 100 pour n'être pas exposé à être trompé, mais quand il s'agit de millions et de millions qu'on veut arracher au crédit de la Province pour le Grand Tronc, on nous dira tout bonnement votez--c'est une excellente entreprise que le Grand Tronc. On prendra la parole de l'honorable secrétaire provincial--celle d'un ex-ministre, l'honorable membre pour Renfrew ou les suppositions de Sir Cusack Roney. Le temps qui fait justice de tout nous donne la preuve que tous les calculs de ceux qui se sont occupés de cette entreprise sont erronés.--Dans la première partie de cette session, quand on nous a menacés que la compagnie abandonnerait ses travaux si on ne lui venait en aide, on a hésité, mais enfin on fit aux dépens du crédit de la province un nouveau sacrifice. Mais on n'est pas satisfait, mais le crédit de la province n'est pas suffisamment engagé pour le Grand Tronc--il nous faut encore ajouter près d'un million, si nous n'avons pas le courage de repousser la demande qui nous est maintenant faite. Je dis que la demande qui nous est faite ne fait que prouver qu'on a fait de faux calculs, et ne donne pas de confiance dans les actionnaires de cette compagnie, surtout quand on considère la position honorable des contracteurs et les moyens qui sont à leur disposi((ti))on; quand on considère qu'ils peuvent faire, par leur propre crédit, tous les travaux du Grand Tronc. Ils ne veulent peut-être pas mettre en risque une partie de leurs capitaux. En cela ils ont parfaitement raison. Je crois que la législature devrait suivre l'exemple de ces messieurs, et que nous devrions examiner avant tout si le rachat des débentures ne deviendra point un jour à la charge du trésors (sic) public; si après avoir été convaincu((s)) que cette entreprise doit devenir à la charge de la province, nous avons à examiner si le temps n'est pas arrivé pour la législature de laisser mourir dans ses convulsions du moment la compagnie du Grand Tronc?

Quand on considère le prix élevé auquel cette compagnie a donné son entreprise; que chaque mille de chemin coûte 8,000L sterling, somme égale à près de 10,000L courant, si on excepte cette partie du Grand Tronc de Richmond à Québec et de Québec aux Trois Pistoles, on doit désirer sa banqueroute, si telle entreprise doit se maintenir par la suite aux dépens de l'État.

Nous devons dire que nos entreprises de chemins de fer sont conduites avec plus d'économie et je n'ai pas de doute que si nous eussions eu à conduire cette entreprise nous aurions économisé au moins deux millions. Ce qui resterait à faire si la province doit se charger de cette entreprise, ce serait d'avoir immédiatement un état de la nature des travaux à faire et un estimé de ces travaux, et soumettre à la considération de la législature le meilleur mode pour assurer efficacement la confection des travaux du Grand Tronc, par conséquent en suspendre temporairement les travaux. Il est vrai que cette proposition comporte des conséquences assez graves. C'est que nos collègues du Haut-Canada n'ont pas encore les travaux qu'ils désireraient; c'est qu'il faudrait faire retourner en Angleterre les employés du Grand Tronc qu'on a fait venir ici au préjudice de nos compatriotes pour occuper tous les emplois lucratifs. En ne laissant à la disposition des habitants de cette colonie, que les situations qui ne peuvent être remplies que par "des scieurs de bois et des charroyeurs d'eau" c'est-à-dire les places de chauffeurs, brack-man et de sextan-man (sic). C'est qu'il faudrait priver de leurs bénéfices les manufacturiers anglais ou écossais de l'Europe, qui sont chargés de faire les locomotives et de préparer presque tout l'appareil du Grand Tronc. En un mot, ce serait priver nos amis européens de tout le bénéfice du Grand Tronc, si on en excepte le secrétaire-provincial qui est l'avocat du Grand Tronc.

Ce sont en partie les avantages dont le pays serait privé si le Grand Tronc allait faire banqueroute; car si cette entreprise est considérée comme une entreprise coloniale, l'état peut s'en charger et conduire, si on y est forcé, avec plus d'économie les travaux du Grand Tronc, et garder, par conséquent nos capitaux, qui sont répartis entre nos classes ouvrières, commerciales et industrielles. Quand la législature a exigé que le gouvernement fut représenté dans les délibérations de la compagnie du Grand Tronc, en ayant un certain nombre de directeurs à sa nomination, c'était sans doute pour mieux surveiller les opérations du Grand Tronc, et par là sauve-garder les intérêts de cette province, qui est venue en aide à une compagnie de chemins de fer particulière. Parmi les membres qui composent l'administration actuelle, il y a plusieurs directeurs de cette compagnie. Probablement qu'ils sont bien disposés à maintenir nos droits et à ne pas engager témérairement le crédit de la province. Ils doivent comprendre que leur position vis-à-vis du pays comporte une grande responsabilité. Qu'ils soient les hommes choisis par la loi pour nous instruire des opérations bonnes ou mauvaises du Grand Tronc. Ainsi je ne puis pas comprendre qu'ils puissent convenablement mettre le fonds de leur influence en faveur d'une compagnie, pour compromettre les intérêts de cette colonie, en l'exposant peut-être à une perte assez considérable. Je ne puis pas comprendre que le gouvernement ferais (sic) une question ministérielle de la question qui nous est maintenant soumise, car c'est intervenir dans les affaires d'une compagnie particulière. Tout l'intérêt que peut avoir le gouvernement, c'est de voir à ce que les débentures émises pour le Grand Tronc ne deviennent point à la charge du trésor public; et repousser de la part de cette compagnie toute tentative qui aurait pour but d'engager inconsidérément (sic) le crédit de la province. L'hon. membre pour Renfrew peut avoir à coeur de voir grandir son enfant légitime. Il est justifiable d'user de toute son influence pour faire une question ministérielle d'une affaire d'intérêt pour le bénéfice particulier de la compagnie, mais si son influence était telle que de forcer l'administration à simple prêt, je plaindrais une administration

qui serait condamnée à vivre de la vie de l'hon. membre pour Renfrew. Je ne veux pas entrer dans ces considérations, je laisse chacun faire ses appréciations sur ce sujet. Je n'ai pas voulu m'écarter de la question principale.

En somme, je suis opposé à la proposition qui nous est soumise; 1o parce qu'en m'en rapportant aux données de Sir Cusack Roney et aux documents authentiques que j'ai consulté la compagnie aurait un excédant considérable. 2o parce que je ne vois rien à prendre dans le cas même où nous aurions la direction des travaux du Grand Tronc. 3o je suis encore opposé à la proposition qui nous est faite, ne tenant pas le pays responsable des éventualités auxquelles sont exposés ou pourraient être exposés la compagnie du Grand Tronc et ses contracteurs.

4o Enfin parce que c'est engager pour un montant trop élevé le crédit de la province pour une seule entreprise, au préjudice des grandes et belles entreprises qui nous restent encore à faire pour développer les ressources agricoles, commerciales et industrielles du pays.¹²⁰

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*On motion of Mr. Thibaudeau, seconded by Mr. Thomas Fortier,
Ordered, That the Debate be adjourned.¹²¹*

*Then, on motion of Mr. Thibaudeau, seconded by Mr. Guévremont,
The House adjourned.*

FOOTNOTES: 1 MAY 1855.

1. LA MINERVE, 8 May 1855.
2. GLOBE, 10 May 1855.
3. MORNING CHRONICLE, 5 May 1855.
4. GLOBE, 10 May 1855.
5. MONTREAL GAZETTE, 4 May 1855.
6. GLOBE, 10 May 1855.
7. LE PAYS, 5 May 1855.
8. GLOBE, 10 May 1855.
9. MORNING CHRONICLE, 5 May 1855.
10. GLOBE, 10 May 1855.
11. IBID.
12. IBID.
13. MORNING CHRONICLE, 5 May 1855.
14. GLOBE, 10 May 1855.
15. MORNING CHRONICLE, 5 May 1855.
16. GLOBE, 10 May 1855.
17. MORNING CHRONICLE, 5 May 1855.
18. GLOBE, 10 May 1855 (in Scrapbook Hansard).
19. GLOBE, 10 May 1855.
20. MORNING CHRONICLE, 5 May 1855.
21. GLOBE, 10 May 1855.
22. MONTREAL GAZETTE, 4 May 1855.
23. GLOBE, 10 May 1855.
24. MONTREAL GAZETTE, 4 May 1855.
25. GLOBE, 10 May 1855.
26. MORNING CHRONICLE, 5 May 1855.
27. GLOBE, 10 May 1855.
28. GLOBE, 10 May 1855 (in Scrapbook Hansard).
29. MONTREAL GAZETTE, 4 May 1855.
30. GLOBE, 11 May 1855.
31. MORNING CHRONICLE, 5 May 1855.
32. GLOBE, 11 May 1855.
33. MORNING CHRONICLE, 5 May 1855.
34. GLOBE, 11 May 1855.
35. HAMILTON SPECTATOR, 9 May 1855.
36. GLOBE, 11 May 1855. MORNING CHRONICLE, 5 May 1855, reports the following: "a lease was got up giving 6 per cent on the par value of the stock of the Portland end of the line, which was selling in the market at 50 discount. Solicitor General Ross and his hon. friend the member for Sherbrooke, went home to England and consummated all the amalgamation, buying up the St. Lawrence and Atlantic stock at par, which was also selling at 50, and they brought out a contract so big that it would take 10 or 15 sheep to furnish parchment for it."
37. IBID.
38. GLOBE, 11 May 1855 (in Scrapbook Hansard).
39. GLOBE, 11 May 1855.
40. IBID.
41. TORONTO DAILY LEADER, 10 May 1855.
42. GLOBE, 11 May 1855.
43. MORNING CHRONICLE, 5 May 1855.
44. GLOBE, 11 May 1855.

45. TORONTO DAILY LEADER, 10 May 1855.
46. MORNING CHRONICLE, 5 May 1855.
47. HAMILTON SPECTATOR, 9 May 1855.
48. MORNING CHRONICLE, 5 May 1855.
49. IBID.
50. GLOBE, 11 May 1855.
51. MONTREAL GAZETTE, 5 May 1855.
52. GLOBE, 11 May 1855 (in Scrapbook Hansard).
53. GLOBE, 12 May 1855 (in Scrapbook Hansard).
54. TORONTO DAILY LEADER, 10 May 1855.
55. IBID.
56. IBID.
57. MORNING CHRONICLE, 5 May 1855.
58. IBID.
59. IBID.
60. TORONTO DAILY LEADER, 10 May 1855.
61. MORNING CHRONICLE, 5 May 1855.
62. TORONTO DAILY LEADER, 10 May 1855.
63. MORNING CHRONICLE, 5 May 1855.
64. TORONTO DAILY LEADER, 10 May 1855.
65. GLOBE, 12 May 1855.
66. MORNING CHRONICLE, 7 May 1855.
67. GLOBE, 12 May 1855.
68. MORNING CHRONICLE, 7 May 1855.
69. GLOBE, 12 May 1855.
70. MONTREAL GAZETTE, 5 May 1855.
71. GLOBE, 12 May 1855.
72. MORNING CHRONICLE, 7 May 1855.
73. GLOBE, 12 May 1855.
74. MORNING CHRONICLE, 7 May 1855.
75. TORONTO DAILY LEADER, 10 May 1855.
76. GLOBE, 12 May 1855.
77. TORONTO DAILY LEADER, 10 May 1855.
78. GLOBE, 12 May 1855.
79. MORNING CHRONICLE, 7 May 1855.
80. TORONTO DAILY LEADER, 10 May 1855.
81. MORNING CHRONICLE, 7 May 1855.
82. GLOBE, 12 May 1855.
83. MORNING CHRONICLE, 7 May 1855.
84. GLOBE, 12 May 1855.
85. LE PAYS, 8 May 1855.
86. MORNING CHRONICLE, May 1855.
87. LE PAYS, 8 May 1855.
88. IBID.
89. IBID.
90. IBID.
91. IBID.
92. MORNING CHRONICLE, 7 May 1855.
93. LE PAYS, 8 May 1855.
94. MONTREAL GAZETTE, 5 May 1855.
95. GLOBE, 12 May 1855.
96. MONTREAL GAZETTE, 5 May 1855.

97. GLOBE, 12 May 1855.
98. MORNING CHRONICLE, 7 May 1855.
99. GLOBE, 12 May 1855.
100. MONTREAL GAZETTE, 5 May 1855.
101. GLOBE, 12 May 1855.
102. MORNING CHRONICLE, 7 May 1855.
103. GLOBE, 12 May 1855.
104. MORNING CHRONICLE, 7 May 1855.
105. IBID.
106. TORONTO DAILY LEADER, 10 May 1855.
107. MORNING CHRONICLE, 7 May 1855.
108. GLOBE, 12 May 1855.
109. MORNING CHRONICLE, 7 May 1855.
110. TORONTO DAILY LEADER, 10 May 1855.
111. MORNING CHRONICLE, 7 May 1855.
112. IBID.
113. IBID.
114. IBID.
115. IBID.
116. GLOBE, 12 May 1855.
117. MORNING CHRONICLE, 7 May 1855.
118. MONTREAL GAZETTE, 5 May 1855.
119. IBID.
120. LE PAYS, 8 May 1855.
121. MORNING CHRONICLE, 3 May 1855, reports that the debate on the Grand Trunk "continued until near midnight, when the House adjourned." The account found in GLOBE, 12 May 1855, includes concordant information.

WEDNESDAY, 2 MAY 1855.

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THE following Petitions were severally brought up, and laid on the table:--

By Mr. Daly,--The Petition of Daniel Allen and others, of the County of Perth.

By Mr. Casault,--The Petition of H. Dubord, Esquire, of the City of Quebec.

By the Honorable Mr. Cayley,--The Petition of B. Paul, Reeve, and others, of the Township of Kinloss.

By Mr. Solicitor General Ross,--The Petition of C. Blanchet and others, of the Parish of St. François, County of Beauce, and other places.

Pursuant to the Order of the day, the following Petitions were read:--

Of M. Beaubien and others, of the Parish of Nicolet; of Louis Bourdon and others, of the Parish of St. Romuald de Farnham; of G. Lember and others, of the Parish of Ste. Ursule; of F.H. Poitras and others, of the Parish of St. Timothée; of L.G. Nolin and others, of the Parish of L'Assomption; of James Gilhuly and others, of the Township of Montague; of John Dow and others, of the Township of Osgoode; and of Thomas Garland and others, of the Township of Goulbourn; praying that a permanent Seat of Government may be established.

Of the Reverend J.B. Drapeau, Curé, and others, of the Parish of Longue Pointe, in the District of Montreal; praying an aid for the construction of a School House in the said Parish.

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Of E. Bingham and others, of the County of Norfolk; of John P. Barrett and others, of the County of Norfolk; of William A. Wallis and others, of the Counties of York and Peel; of W. Hall and others, of the County of Peterborough; of James Hall and others, of the County of Peterborough; of Hoyes Lloyd and others, of the County of Peterborough; of F.A. Potter and others, of the Town of Berlin, County of Waterloo; of William McMahon and others, of the County of Waterloo; of M. Perdue and others, of the County of Peel; of James B. Smith and others, of the Townships of Canborough and Walpole, in the County of Haldimand; of Hugh Campbell and others, of the Township of Lancaster, in the County of Glengarry; and of Thomas Craig and others, of the Townships of Megantic and Leeds; praying that the discretionary power of commutation may not be exercised in carrying out the provisions of the Clergy Reserves Act.

Of F.W. Henshaw, of the City of Montreal, Inspector of Pot and Pearl Ashes; praying that the Bill to amend an Act to regulate the Inspection of Pot and Pearl Ashes, may not become law.

Of Messieurs Baines and Thompson, and others, of the City of Toronto, Brewers; praying that the Bill now before the House to prevent the traffic in Alcoholic and Intoxicating Liquors may be postponed till next Session of Parliament, in order to give an opportunity for the expression of public opinion upon its merits, or that Ale, Porter, and Beer, may be exempted from its provisions.

Of L. Vincent, of the Parish of St. Fidèle; praying to be indemnified for services rendered during the last War with the United States.

Of Edwin A. Burrowes and others, Clerks of Division Courts of the United Counties of Frontenac, Lenox, and Addington; praying that the Tariff of Fees allowed them under the Act 16 Vic. cap. 53, may be increased.

And the Petition of Jacques Fuchs, of the City of Quebec; alleging certain grievances, and praying that a Committee may be appointed to enquire into the same, being read;

*On motion of Mr. Chisholm, seconded by Mr. Angus Morrison,
Ordered, That the said Petition be not received.*

Ordered, That the Petition of Messieurs Baines and Thompson, and others, of the City of Toronto, Brewers; and the Petition of F.W. Henshaw, of the City of Montreal, Inspector of Pot and Pearl Ashes, be printed for the use of the Members of this House.

Sir Allan N. MacNab, from the Standing Committee on Railroads, Canals, and Telegraph Lines, presented to the House the Fifteenth Report of the said Committee; which was read, as followeth:--

Your Committee have taken into their consideration the Bill to amend the Act incorporating the Hamilton and Toronto Railway Company, and have agreed to an amendment, which they humbly submit for the adoption of Your Honorable House.

Your Committee have also examined the Bill to remove doubts as to the powers of the Ontario, Simcoe and Lake Huron Union Railroad Company constructing a Branch line into the Town of Barrie, and have agreed to report the same without any amendment.

Ordered, That the Bill to amend the Act incorporating the Hamilton and Toronto Railway Company, as reported from the Standing Committee on Railroads, Canals, and Telegraph Lines, be committed to a Committee of the whole House, for To-morrow.

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Ordered, That the Bill to remove doubts as to the power of the Ontario, Simcoe and Lake Huron Union Railroad Company constructing a Branch line into the Town of Barrie, be committed to a Committee of the whole House, for To-morrow.

Mr. Holton reported from the Select Committee on the Bill to amend and extend the provisions of the Act 16 Vic. cap. 191, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Bill and Report be committed to a Committee of the whole House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Papin reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time To-morrow.

The Honorable Mr. Cameron, from the Standing Committee on Miscellaneous Private Bills, presented to the House the Thirty-fourth Report of the said Committee; which was read, as followeth:--

Your Committee have considered the Bill to increase the Capital Stock of the City of Kingston Water Works Company, and have agreed to report the same without any amendment.

They have also considered the Bill to authorize the City of Hamilton to negotiate a Loan of Fifty thousand pounds, and have agreed to certain amendments, which they beg to submit for the consideration of Your Honorable House.

Ordered, That the Bill to increase the Capital Stock of the City of Kingston Water Works Company, be committed to a Committee of the whole House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Powell reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time To-morrow.

Ordered, That the Bill to authorize the City of Hamilton to negotiate a Loan of Fifty thousand pounds, as reported from the Standing Committee on Miscellaneous Private Bills, be committed to a Committee of the whole House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Loranger reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time To-morrow.

Ordered, That the Petition of Adam Brown and others, of Queenston, St. Catharines, and vicinity, be referred to the Standing Committee on Railroads Canals, and Telegraph Lines.

Sur motion de MR. HOLTON, l'impression de la pétition du bureau de commerce de la cité de Montréal, demandant un acte pour restreindre l'inspection de la potasse et de la perlasse à des inspecteurs dûment autorisés, est ordonnée.¹

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Ordered, That the Petition of the Board of Trade of the City of Montreal, relating to the inspection of Ashes; the Petition of A. Guky and others, of the City

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of Quebec; and the Petition of Richard Freeman, of the Parish of St. Ambroise, Tanner, be printed for the use of the Members of this House.

On motion of Mr. Thomas Fortier, seconded by the Honorable Mr. Chabot,

Ordered, That the Special Committee to which was referred the Letter of the Clerk of this House, laid on the table by the Honorable the Speaker, in reference to the appointment of an additional Clerk Assistant; with an Instruction to the said Committee to enquire concerning the capacity of each of the Officers and ... Clerks of this House, and their fitness to discharge their duties in the several Offices now respectively held by them, or to which they may hereafter be appointed, with a view to ensure the efficient discharge of the duties devolving upon them respectively, have leave to report from time to time.

Sur motion de MR. CHABOT,²

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Ordered, That the several Reports of the Standing Committee on Contingencies, relative to the Petition of William Power, Esquire, of the City of Quebec, Circuit Judge, and the Petition of M.A. Hearn, of the City of Quebec, Student at Law, be referred to the Select Committee to which was referred the Petition of William Power, Esquire, of the City of Quebec, Circuit Judge.

Ordered, That the Petition of Joseph André Taschereau, of St. Louis de Kamouraska, Esquire, be referred to the said Committee.

Ordered, That the Honorable Mr. Spence have leave to bring in a Bill to revive, continue and amend an Act passed in the sixteenth year of Her Majesty's Reign, relative to boundary lines in the West Gore of the Township of Beverly.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Friday next.

Ordered, That Mr. Solicitor General Smith have leave to bring in a Bill to explain and amend an Act passed in the twelfth year of the Reign of Her Majesty Queen Victoria, intituled, "An Act to make further provision for the administration of Justice, by the establishment of an additional Superior Court of Common Law, and also, a Court of Error and Appeal in Upper Canada, and for other purposes."

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Friday next.

Sur motion de MR. INSP. GEN. CAYLEY,³

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The House proceeded to take into consideration the Amendment made by the Legislative Council to the Bill, intituled, "An Act to secure the more efficient auditing of the Public Accounts;" and the same was read, as followeth:--

Page 1, line 27. After "General" insert "or in his temporary absence through illness or otherwise of such person as the Governor in Council may appoint."

The said Amendment, being read a second time, was agreed to.

Ordered, That the Honorable Mr. Cayley do carry back the Bill to the Legislative Council, and acquaint their Honors, that this House hath agreed to their Amendment.

The Honorable Mr. Cartier, one of Her Majesty's Executive Council, presented, pursuant to an Address to His Excellency the Governor General,--Return, in conclusion, to an Address from the Legislative Assembly, of the 21st ultimo, for copies of certain Papers connected with the Affairs of the Grand Trunk Railroad Company of Canada.

For the said Return, see Appendix (F.F.)

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Ordered, That the said Return be printed for the use of the Members of this House.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

Mr. Speaker,

The Legislative Council have passed the Bill, intituled, "An Act to abolish Postage on Newspapers published within the Province of Canada, and for other purposes connected with the Post Office Department of this Province," without any Amendment: And also,

The Legislative Council have passed a Bill, intituled, "An Act to incorporate the Trustees of the House of Industry in Kingston," to which they desire the concurrence of this House.

And then he withdrew.

The orders of the day having been moved, after routine business,⁴

MR. FELTON took the opportunity of complaining of a change that had been made in the order of notices of motion. When he gave notice of motions to revive the Temperance Bill thrown out on Monday night, he expected they would appear first on the notice paper, in accordance with the practice always followed till within the last day or two.⁵ The practice had hitherto been that notices given for a particular day were placed at the head of the list for that day.⁶ He was very much surprised therefore, to find that the order of the notices had been entirely changed, so that his motions were placed at the end of the list, and might not come up for several weeks. On enquiring at the Clerk of Routine the reason for the change, he was told it had been made under express orders from the Speaker. He considered that a most inopportune occasion had been taken to make this change⁷. The date of the change was of some significance connected with the manner of throwing out the Prohibitory Liquor Bill. It took place on the 30th April, and was calculated still farther to retard the enacting of such a law, which had already met with such sharp practice in the House.⁸

MR. SICOTTE the SPEAKER explained that frequent complaints had been made to him that notices had remained on the paper for months before they were taken up. Lately, and before the third reading of the Prohibitory Liquor Law came on, the Hon. Mr. Chauveau and Mr. Whitney made special complaint to him on this subject, and believing it to be well grounded, and that the contrary course--that of placing the notices on the paper in the order in which they were given in--was more in accordance with the spirit of the rules of the House, he had directed the change. But this had been done without any reference to the bill of the hon. member. So far, indeed, had he been from endeavoring to wrest the rules so as to impede its progress, that he had insisted upon its having precedence on the list of orders when he thought it entitled to it, though the clerk had been of a contrary opinion and endeavored to obtain his permission to pursue a contrary course.⁹

MR. MACKENZIE said it was a very surprising thing that after having proceeded with the Bill for 7 months, it had been discovered only on Monday night that they had been going wrong the whole time, and it added to his surprise that a practice which had been followed for many years as to the order of the notices, should at the very same juncture have been discovered by the Speaker to be wrong also, to prevent the bringing up of the Bill again after it had been thrown back to the commencement.¹⁰

After some further conversation, the ... motion was agreed (sic) to.¹¹

(967)

On motion of the Honorable Sir Allan N. MacNab, seconded by Mr. Solicitor General Smith,¹²

Ordered, That the Orders of the day be now read.

And the Order of the day being read, for resuming the adjourned Debate upon the Amendment which was yesterday proposed to be made to the Question, That Mr. Speaker do now leave the Chair (for the House in Committee to take into consideration the expediency of granting further aid to the Grand Trunk Railway Company); and which Amendment was, "That all the words after 'That' to the end of the Question be left out, in order to add instead thereof the words 'before this House shall be called upon to pledge the further aid of Nine hundred thousand pounds sterling, or any sum out of the Public Revenue, to the Grand Trunk Railway Company of Canada, the most searching and ample enquiry by a Special Committee should be instituted into the

condition and affairs of the said Company generally, and especially in respect to the One million seven hundred and seventy-six thousand two hundred and sixty-eight pounds sterling, of the Provincial guarantee advanced to that Company, up to the 20th January last, and to any additional sums that may have since been paid; also, into the general management and conduct pursued by the said Company in relation to the carrying on of the works on the several branches of the said Railway, and to obtain more correct evidence than at present exists, that the character of the works is in accordance with the terms of the Contract with Messieurs Peto, Brassey, Betts, and Jackson; and, further, to ascertain how far the proffered security of the amalgamated Grand Trunk Railway can warrant a further advance;"

And the Question on the Amendment being again proposed:--The House resumed the said adjourned Debate.

The House resumed the adjourned Debate on the Amendment which was yesterday proposed by the Hon. John Sandfield Macdonald, to the motion made by the hon. Mr. Cayley¹³.

CAPT. RHODES, after referring to the importance of giving the matter careful consideration, repudiated the idea of the Quebec and Trois Pistoles road not paying. He knew well the district of country through which it passed, from having resided for a long time in it. It was a fertile, flourishing county--while the fisheries along the shores of the river and gulf were of immense value, and would furnish at once occupation to a large population and traffic to a railway. It already had a population of about 300,000. It was on the direct highway, also, to the forests and lumber districts of the Northern part of New Brunswick and Maine; and, he believed that section when completed would prove as profitable and productive as any other part of the Grand Trunk. An honorable member had, last night, spoken of the Quebec and Richmond road as wholly unproductive; and he felt bound to state his conviction of the ((in))correctness of this view of its prospects.¹⁴ When the Quebec and Richmond road was first started, it had been objected that the enterprise was too large for the capital and energy that could be brought to bear upon it. Its paying qualities were not for a moment questioned then. Now when the road was actually almost completed, and the cars running over it, the opponents had changed ground and pronounced that it would be a losing concern.¹⁵ He was at one time, previous to its amalgamation with the Grand Trunk Chairman of that Company. The stock for the whole road had been raised in England before the amalgamation. At one time the people of Quebec pledged their credit for 50,000L in favor of the road,--subsequently it was found that amount would not be needed, and it was reduced to 25,000L and at last the Company was enabled to go on without any assistance from the city. Even if the shareholders did not realise so large a profit from it as they anticipated, Quebec would at least derive a very great advantage from this means of communication. They had already derived advantage from it, though not yet properly opened for traffic--only used for the temporary accommodation of members of Parliament and the people of the city. The Province had advanced only 200,000L upon it, and were perfectly secure for that amount--at all events holding the first mortgage upon the road. Coming to the proposed advance, he thought it wisdom on the part of the Government to use every endeavor to carry through the whole line, and thought the Company entitled to the indulgence sought. He admitted that a very general opinion prevailed, not without some reason probably, that there had been an unlucky lack of economy in the manner of their expenditure; and there was also a minor complaint made, that the officials of the road did not treat travellers or others coming in contact with them with that courtesy which they had been accustomed to receive, and

had a right to expect from such officials. These were, however, trivial causes of complaint, and he was assured that the shareholders in Britain desired to see the road popular with the people among whom it was to be constructed.¹⁶ He believed that both this and other portions of the Grand Trunk would be found to be good paying lines, and as it seemed from the correspondence laid before the House that it was necessary for further aid to ensure the completion of these roads, he would vote for the resolution of the honorable Inspector General to grant further aid, and against the amendment.¹⁷

MR. CHABOT addressed the House at some length in French.¹⁸ ((Il)) dit que c'est une question de vie ou de mort pour la prospérité future du Canada. De toutes les améliorations qui ont pu se faire jusqu'à présent, il n'y en a pas une seule qui soit plus importante que ce chemin de fer. Tout le monde en profite, et puisque l'élan des améliorations est donné, il ne faut pas l'arrêter par des craintes imaginaires, et il espère qu'on ne détruira pas le crédit de la province en arrêtant cette grande entreprise. La législature a décidé il y a quelques années qu'il fallait avoir un chemin de fer qui traverse le pays d'un bout à l'autre, afin de transporter les produits de l'ouest jusqu'à la mer. Aujourd'hui, nos pêcheries sont d'une importance immense, et faute de voie de communication, les pêcheurs vendent leur poisson aux Américains au lieu de l'amener à Québec, et ils le vendent plus cher là qu'ils ne peuvent le faire ici, parce que les Américains ne paient pas de droits pour l'importer dans leur pays, puisqu'ils ont eux-mêmes le droit de pêche.¹⁹ ((OR)) The export of fish was much larger (sic) than appeared in the returns, for in addition to the catch of the Canadian fishermen the Americans not only came there and fished but they got the cargoes of many Canadian fishermen and took them away as their own catch.²⁰ Il pense donc qu'un chemin de fer qui relierait le bas de la province avec Québec paierait beaucoup par le trafic qu'il amènerait de tous les comtés d'en bas, qui sont très fertiles et qui produisent beaucoup. Il n'y a aucun chemin entre ces comtés et Québec et la malle est transportée sur le dos du postillon ou avec des chiens. Avec un chemin de fer on encouragerait les pêcheries et la culture des terres, et s'ils pensent que le chemin ne se prolongerait pas jusqu'au bout de la province un jour ou un autre, il voterait contre la proposition, parce que s'il devait s'arrêter aux Trois-Pistoles il ne pourrait jamais payer ses dépenses et serait plutôt un fardeau qu'un bienfait. Celui de Richmond même ne pourrait jamais payer, parce qu'il faut un débouché pour qu'un chemin de fer puisse payer. Les États-Unis ont fait des efforts incroyables pour donner un débouché à leurs chemins de fer et les amener dans les grandes villes, afin qu'ils pussent payer, en y amenant les produits de l'intérieur et des grands lacs. Mais quand il s'agit du bien-être de la population entière, il ne faut pas regarder si l'entreprise paiera ou non, il faut seulement voir si les habitants des campagnes en retireront des avantages. Si, par le passage d'un chemin de fer ((il)) voit sa propriété doubler de valeur, et s'il peut vendre ses produits plus cher, cela est suffisant, et il n'est pas nécessaire que le chemin paie ses dépenses et donne du profit.

Tous les travaux publics, comme les ponts, les chemins, etc., sont faits pour l'avantage du peuple, sans donner aucun profit par eux-mêmes.

Il sait qu'il a été fait des dépenses extravagantes sur le chemin du Grand Tronc mais cela est l'affaire de la compagnie, et non celle de la province. On s'est aussi plaint avec raison de la conduite des employés subalternes de la compagnie, mais ce n'est pas la faute des chefs, et aussitôt qu'ils ont connu les sujets de plainte, ils y ont remédié.

Il votera donc pour les 900,000L, parce qu'il est convaincu que le gouvernement le complétera jusqu'au Nouveau-Brunswick ou à la Baie des Chaleurs, car autrement il

ne les voterait pas. On a aussi parlé du chemin de fer du Nord, et on a dit que s'il ne se faisait pas, c'était dû à l'influence du Grand Tronc,--mais il ne croit pas cela, parce que le chemin de fer du Nord ne nuira pas à celui du Grand Tronc. Plus il y aura de chemins de fer, plus il y aura de trafic, et mieux ce sera. Il espère que le gouvernement trouvera le moyen de venir en aide au chemin du Nord, et il le fera. Quand le chemin sillonnera la province d'un bout à l'autre, les produits de l'Ouest passeront par le Bas-Canada pour se rendre à la mer, et le trafic sera tellement considérable que la ligne du Grand Tronc ne suffira pas pour les transporter, et qu'ils alimenteront aussi le chemin de fer du Nord. Le Grand Tronc n'a donc aucun intérêt à en empêcher la construction. Il répète que les améliorations sont commencées en Canada, et qu'il ne faut pas rester en arrière des autres pays; il ne faut pas regarder à quelques centaines de louis depuis que la province compte par millions au lieu de compter par francs ou par mille louis comme autrefois. Aujourd'hui un million de louis n'est presque rien pour nous. Il faut soutenir le crédit de la province à l'étranger, et si le Grand Tronc était arrêté, notre crédit serait perdu pour toujours. Et il ne faut pas attendre que le mal soit fait pour y porter remède. Il espère donc que tous ceux qui désirent la prospérité de la province voteront pour l'octroi de cette nouvelle garantie.²¹

MR. A. DORION (Montreal) spoke in French²². ((Il)) pense que personne ne désire voir suspendre les travaux du Grand Tronc, et pour lui il en est bien éloigné.

Il ne s'agit pas de savoir quels sont ceux qui veulent faire continuer cette vaste entreprise, et quels sont ceux qui veulent la suspendre. La seule question à considérer est de savoir si, avec ce nouvel octroi de 900,000L, la compagnie sera en état de compléter la partie du chemin qu'elle nous promet, et si on peut avoir assez de confiance en elle pour lui avancer cette nouvelle somme, sans autre sûreté que l'engagement qu'elle prendra de terminer le chemin. Il faut de plus considérer quelles seront les sûretés de la province pour être remboursés de ces 900,000L si elle les accorde. La compagnie du Grand Tronc a été incorporée en 1852, pour la construction du Grand Tronc proprement dit, qui s'étendait de Montréal à Toronto, et du Grand Tronc du Canada Est depuis Québec aux Trois-Pistoles. Subséquentement par acte entre les différentes compagnies de chemin de fer, ... ((le)) chemin de Québec à Richmond, celui du St. Laurent et de l'Atlantic, et celui de Toronto à Guelph furent réunis au Grand Tronc et mis sous le contrôle d'une seule compagnie. Le chemin de Québec à Richmond et celui du St. Laurent et de l'Atlantic étaient tous deux entrepris, et le dernier presque terminé, lors de la réunion de ces diverses compagnies, et il avait obtenu la garantie du gouvernement en vertu de l'acte de 1849, qui assurait cette garantie à tout chemin de plus de soixante et quinze milles de longueur, pour la moitié de son coût. Le chemin de Toronto et Guelph n'avait droit à aucune garantie, ce chemin ayant été commencé après le rappel de l'acte de 1854.

En vertu des actes incorporant la compagnie du Grand Tronc, le chemin de Québec aux Trois Pistoles,²³ 140²⁴ milles en longueur, et de Montréal à Toronto, 350 milles avaient droit à la garantie du gouvernement au montant de 3,000L sterling (3,541L courant) pour chaque mille, ce qui faisait²⁵ 1,494,500L. Ajoutez à cela les 250,000L accordés pour le chemin de Québec et Richmond, et les 67,000L pour le chemin du St. Laurent et de l'Atlantique, et vous aurez un total de 1,811,500 louis sterling.²⁶ Maintenant qu'elle (sic) est la proposition du gouvernement? C'est qu'à cette garantie de ((près de)) 1,500,000L l'on ajoute une aide de 900,000L au moyen de laquelle la compagnie finira le chemin de fer de St. Thomas à Québec, 40 milles, de Montréal à Toronto, 350 milles, et de Toronto à Stratford, 100 milles. Il est à remarquer que ce dernier chemin a été entrepris par la compagnie du Grand Tronc sans garantie provinciale, en sorte que la compagnie ne propose réellement de terminer,

au moyen de l'aide additionnelle, que 390 milles du chemin qui avait droit à la garantie provinciale, ce qui donne pour chaque mille 3,832L 2s 2d de garantie déjà accordée, et 2,307L 13s 10d de la garantie additionnelle--en tout²⁷ 6,139L²⁸ 16s 0d sterling, égal à 7,469L 18s 4d courant. En ajoutant à cette dernière somme le premium sur les débentures émises par la province, 150,000L ou 384 12,4L par chaque mille, l'on a pour résultat que le montant entier fourni pour le gouvernement sur cette partie du chemin de fer sera de 7,854,10,8L courant lorsque la garantie additionnelle qu'on nous demande aura été accordée. À ce compte, il aurait été bien plus avantageux de faire faire ce chemin par des entrepreneurs du pays, puisqu'il y en avait qui offraient de le construire, du moins la partie entre Montréal et Toronto, pour 6,500L courant, par mille, et que des ingénieurs compétents, ne l'avaient estimé qu'à 5,000L du mille, non seulement on y aurait gagné sur le coût, mais de plus, des hommes du pays auraient été employés à le construire et à faire les locomotives et autres constructions nécessaires, tandis que sous la compagnie actuelle, on ne fait dans le pays et par des ouvriers du pays (sic) que ce qui ne peut être fait en Angleterre.

Mais ceux qui sont en faveur de la proposition disent que ces 900,000L ne devront pas être répartis seulement sur le chemin de fer de St. Thomas à Québec, et de Montréal à Toronto, mais sur toute la ligne y compris le Richmond, l'Atlantic et le Toronto et Guelf, et que cela ne donnerait qu'environ 4,300L sterling par mille y compris la garantie déjà accordée. Il serait facile de leur répondre que la province n'a stipulé sa garantie que pour les deux chemins de Québec aux Trois-Pistoles et de Montréal à Toronto; et qu'elle n'a rien à faire avec les autres, excepté en autant qu'elle y est concernée par la garantie consentie en vertu de l'acte de 1849. Mais en prenant cette question sous le point de vue le plus favorable à la compagnie, quelle sera la sûreté additionnelle que la province aura sur les²⁹ lignes déjà terminées et en activité³⁰? D'abord le chemin de Québec à Richmond est déjà hypothéqué pour 250,000L sterling de débentures provinciales émises en vertu de l'acte de 1849. Ce chemin a 100 milles de longueur, ce qui fait³¹ 2,500L³² ((égal à)) 3,000L livres courant par mille d'hypothèques sur un chemin qui n'a pas jusqu'à présent payé ses dépenses.³³ Vient ensuite le chemin du St. Laurent et de l'Atlantique. Ce chemin, est d'abord chargé du paiement de l'intérêt sur la somme que la partie américaine a coûtée à construire, suivant les conditions du bail passé par la compagnie du Grand Tronc; de plus, il est grevé des charges suivantes: l'avance provinciale de 467,500L; le prêt de la cité de Montréal, de 102,739L; le prêt de la Compagnie Américaine des Terres, de 20,547L; le prêt du Séminaire de Montréal, de 20,546L; faisant une charge totale de 611,335L, répartie sur une étendue de chemin de 126 milles, égale à 4,851L sterling, ou 5,902L courant, par mille.³⁴ Toutes ces dettes devront être payées avant que la province ne puisse exercer son recours pour le nouveau prêt demandé. Ce serait une injustice à laquelle la chambre ne pourrait se prêter, que de déclarer que l'hypothèque de la corporation de Montréal, du séminaire et de la compagnie des terres seraient primées par une hypothèque postérieure créée par un statut, pour des avances faites pour d'autres chemins auxquels on ne songeait même pas, lorsque la corporation et le séminaire ont fourni leur crédit, pour compléter le chemin du St. Laurent et de l'Atlantic. L'on peut donc dire sans crainte que les sûretés pour le nouveau prêt, qui reposeront sur ces deux chemins de Richmond et de l'Atlantic seront nulles, l'un et l'autre doivent autant et peut-être plus qu'ils ne valent.³⁵ Mais on dit que l'hypothèque de la province s'étendra sur le chemin de Toronto et Stratford, et qu'ainsi la garantie donnée à la province sera de beaucoup augmentée. L'hon. membre pour Montréal ne savait pas au juste jusqu'à quel point on pouvait compter sur les recettes d'un chemin de fer ayant son terminus à Stratford. Il ne croyait pas,

cependant, qu'une hypothèque sur ce chemin dût ajouter beaucoup à la garantie matérielle de la province, pour une nouvelle avance de 900,000L. On en verra la preuve dans le calcul suivant: le chemin de St. Thomas doit compter 40 milles; celui de Montréal à Toronto, 350 milles, celui de Toronto à Stratford, 100 milles,--en tout, 490 milles. Sur toute cette étendue de chemin doit être répartie la première garantie de la province, de 1,500,000L, et l'aide additionnelle proposée, de 900,000L, faisant en tout 2,400,000L, c'est-à-dire 5,081L sterling, ou 6,182L courant, par mille. Ajoutez à cela la prime de 306L par mille, comme il a été établi plus haut, et le nouveau chemin à construire se trouverait grevé de 6,488L par mille³⁶.

Telle sera la condition faite à la province si la compagnie termine la partie du chemin qu'elle nous promet. La province aura avancé 6,488L 14s. 10d. pour chaque mille de chemin de fer qui aura été complété. Il n'y a aucun doute que si l'on était venu faire une proposition semblable dans l'origine, et informer la chambre qu'au lieu de 3,500L par mille, la province aurait à fournir 6,488L par mille, cette proposition aurait été repoussée à l'unanimité et qu'on aurait trouvé que la construction de nos chemins de fer par l'industrie et l'entreprise canadienne était plus avantageuse que les offres si attrayantes faites par les compagnies anglaises. Après avoir examiné quelle sûreté la province aura, si les parties du chemin que la compagnie se propose de terminer le sont, l'on peut raisonnablement se demander qu'elle (sic) sûreté nous avons que cette partie-là même sera terminée lorsque les 900,000L auront été accordés? Cette somme est trop considérable pour qu'elle soit fournie sans les plus amples garanties et les antécédents de la compagnie ne sont pas propres à rassurer l'opinion publique. Quand cette entreprise fut donné à MM. Jackson & Cie, pour engager les membres à la leur accorder, par préférence aux entrepreneurs canadiens, on leur disait que la compagnie construirait non seulement les portions profitables du chemin comme celle de Montréal à Toronto, mais qu'encore qu'elle feraient (sic) le pont Victoria, qui paraissait ne pouvoir être exécuté qu'avec ... ((des)) capitaux et des entrepreneurs anglais, et la partie du chemin de Québec aux Trois-Pistoles qu'aucune compagnie privée n'aurait voulu entreprendre. On donnait 10,000L courant par mille à cette compagnie, tandis qu'on pouvait faire ces chemins à raison de 6,500L, parce ((que)) l'ouvrage devait être bien et ponctuellement fait. L'on ajoutait que la garantie provinciale n'était que nominale. On avait même pris le soin de dire que la compagnie pourrait renoncer à cette garantie, si elle le jugeait à propos, tant elle était alors indépendante. Mais aujourd'hui que toutes ces promesses sont vaines, que la compagnie qui devait nous faire 490 milles de chemin de fer pour 1,500,000L d'aide, nous dit qu'il lui faut un autre secours de 900,000L pour en terminer 390 milles, et qu'elle n'a réellement dépensé sur les travaux qu'elle devait nous faire, que l'argent que la province lui a fourni, l'on peut se demander si l'assurance donnée par M. Peto dans l'une de ses lettres, qu'au moyen de cette nouvelle avance il fera le chemin, suffit pour engager cette chambre à voter cette somme. Pour sa part, il (M. Dorion) ne le croit pas. Il croit en outre que si à ce nouveau prêt on n'y oppose des conditions pour assurer l'exécution des autres parties des travaux, tels que le pont Victoria et le chemin depuis St. Thomas aux Trois-Pistoles, ils ne se feront pas. Il n'a aucun doute qu'il en sera ainsi quant au pont Victoria, et il prie les membres du district de Québec de faire attention qu'il en sera de même du chemin des Trois Pistoles. L'on dira peut-être. Mais pourquoi voudriez vous forcer la compagnie à faire des travaux qui ne seront pas avantageux, en autant qu'ils ne paieront pas l'intérêt du prix qu'ils auront coûté? Par (sic) la simple raison que la compagnie s'y est obligée, que les entrepreneurs ont obtenu des prix très élevés pour les portions les plus avantageuses, et surtout parce que ces travaux seront avantageux au pays s'ils ne le sont pas à la compagnie.³⁷ He went on to say that he believed that the original intention of the Government was to ask for 2,000,000L.³⁸

MR. PROV. SEC. CARTIER said the government never had asked for such a sum.³⁹

MR. A. DORION did not say the government had asked for it; but it was openly stated that such a demand was to be made.⁴⁰

MR. PROV. SEC. CARTIER said the member for Montreal stated that the government had lowered its demand for two millions to 900,000L.⁴¹

MR. SICOTTE the SPEAKER said the hon. member for Vercheres was in error,--the member for Montreal had made no such assertion.⁴²

MR. A. DORION repeated that he did not say that the government had asked two millions; but what he did say ((was)) that it was commonly reported and understood that it was intended to ask for that sum. But what was important was this--that when the Province gave a large sum of money to this Company it did so with the intention of getting certain works completed which otherwise would not be completed, among these was the Trois Pistoles road.... To obtain this more money was given than would have been accepted by other Companies to make the road.⁴³

Il ne croirait pas avoir rempli son devoir s'il se contentait simplement de blâmer la proposition du gouvernement sur une question qui intéresse à un si haut degré le crédit de la province, sans être prêt à suggérer quelque chose pour la remplacer. Il ne peut être question d'abandonner les travaux, il faut ou que la compagnie ou que la province les continue; l'un et autre a ses inconvénients. Il croit donc que si l'on pouvait faire les avances demandées, ça ne serait qu'à la condition que les parties du chemin à faire (les 390 milles) seraient divisées par sections, et que les débentures de la province ne seraient mises en faveur de la compagnie qu'à mesure que chacune des sections du chemin serait terminée en ayant le soin de diviser le montant des débentures sur chaque section du chemin à proportion de l'ouvrage qui reste à faire.

La province ne paierait ainsi qu'à mesure que l'ouvrage serait terminé, et ne serait pas exposée à voir dépenser son argent inutilement entre les mains de la compagnie. Une autre condition qu'il opposerait serait d'obliger la compagnie à employer une partie des ressources qui lui restent sur le chemin des Trois Pistoles et sur le pont Victoria, afin que les sommes ainsi employées sur ces deux entreprises, suffisantes (sic) pour l'obliger, lorsque le marché monétaire sera meilleur, à continuer les travaux, pour éviter la perte de sa mise. Si la compagnie est aussi riche qu'on nous l'a toujours représentée, elle ne trouvera aucune difficulté (sic), à maintenir son crédit jusqu'à ce qu'elle puisse livrer au commerce les premières sections du chemin, pour recevoir les débentures de la province, qui lui seront assurées par un acte du parlement. Il ne peut trop s'appesantir sur la nécessité de faire le pont Victoria pour relier les deux parties du chemin de fer et sans lequel le Grand Tronc pourra difficilement lutter avec les autres voies de communication. Le coût du transport d'un baril de fleur de Montréal à Longueuil seul est, juste aussi élevé qu'il le serait de Montréal à Québec. De même, le transport d'une corde de bois de Longueuil à Montréal coûte 5s. et au moyen du pont ces articles pourraient être distribués au centre même de la ville pour le tiers ou le quart de cette somme.

L'on voit par là l'importance qu'il y aurait de réunir les deux lignes, outre celle de construire un ouvrage qui ferait l'admiration des voyageurs, et dont les avantages se feraient sentir dans toute la province.

Il continue en disant que s'il avait pu se convaincre que ces 900,000L ne seraient pas dissipés entre les mains de la compagnie comme l'a été l'a (sic)

première somme avancée par la province, et que cette somme suffirait pour terminer la partie du chemin de St. Thomas à Québec, de Montréal à Toronto et de Toronto à Stratford, il aurait peut-être eu plus d'hésitation à repousser cet aide, mais rien de ce qu'il a entendu de l'autre côté de la chambre ne l'a convaincu que la province ne donnerait pas son argent sans avoir plus de garantie qu'elle n'en a aujourd'hui, et sans que nous ayons nos chemins de fer. Cette chambre a déjà, dans la première partie de la session, prorogé le délai pour terminer ses ouvrages, elle a en outre étendu la garantie de la province sur toute la ligne, ce qui a permis à la compagnie de retirer 400,000L ou 500,000L de plus qu'elle n'aurait pu toucher sans cela. On nous disait alors que la compagnie n'avait besoin que de cette assi((s))tance pour terminer ses travaux. C'est le 18 décembre que cet acte était sanctionné et dès le⁴⁴ 20⁴⁵ ((OU)) 30 janvier, à peine un mois après, nous avons une lettre de M. Peto dans laquelle il déclare que la compagnie devra se pourvoir pour rencontrer ses engagements, et immédiatement après une demande est faite au gouvernement pour qu'il vienne au secours de la compagnie. Non seulement je ne pense pas que l'aide demandée suffira pour retirer la compagnie de difficulté, mais je crois que ce n'est qu'un installation (sic) et qu'après que la chambre aura voté cette somme elle sera appelée à une autre session à voter une autre somme additionnelle et qu'ainsi le pays sera pas à pas entraîné dans une voie dont, il ne pourra plus se retirer.

Pour ces raisons, il votera contre la proposition soumise à la chambre.⁴⁶

MR. BROWN was sure the Speaker must have been surprised at the change which had taken place between the tone of last Parliament, and of the present debate. It was certainly not a little worthy of astonishment to call to mind all the stories which had been told of the wealth of those English capitalists--how they were to finish all the works of the Province by their unrested strength, and then to reflect upon this as the miserable end. All must have felt the change when the member for Renfrew rose last night, not to show how he had carried out his great scheme, but to offer some feeble reasons for the failure of all that he had promised, and all that had been expected. What was the history of this railway scheme? Every body recollected Mr. Howe's great project for building a railroad from Halifax to Toronto. Many persons were opposed to the investment of money merely in a railroad from Halifax to Quebec, but were willing to go into the thing, if they could get a loan at 2½ per cent for the rest of the line from Quebec to Toronto. Mr. Howe was, however it turned out, mistaken as to the offers made by the Imperial Government, and Mr. Hincks then went to Halifax and patched up a new scheme, by which it was intended to make the road run by Temiscouata. He proceeded thence to England, and there, notwithstanding Acts of Parliament had been solemnly passed in all three Provinces, he broke up all the arrangement, and suddenly entered into engagements with those persons who had since tried to make our roads; but failed in the attempt. Next it was bruited about the world that the then Inspector General had made a bargain with certain persons to build all the roads in British America; but when he appeared in Parliament, and was asked what bargain he had made, he said that he made none, there was merely a correspondence, which the House might adopt or not. Nevertheless there was a bargain, for Mr. Jackson, finding that he was not to get the terms which he had bargained for, affected to leave the Province, and then we were told that we were all lost--that we were left to ourselves and would never get on at all, just as we were now threatened with destruction if we were rash enough to bring down on us the anger of Messrs. Barings and Glyn's. However, Mr. Jackson was not gone, at (sic) it was at last agreed that he should build the road and get three thousand pounds a mile of guarantee--that was to say, he was to get that nominally--it was to be put in the charter; but really they were not to get one sixpence, they

were so wealthy they required no such aid. Now ordinar((i))ly when persons came to ask for a charter, they and their neighbours subscribed a certain sum of money, and they asked some further aid from government. But Jackson & Co., came and contracted for 9000L per mile, afterwards raised to 11,000L, on account of the increased price of iron, and this at the very time when Canadian contractors were ready to undertake the work for 6,500L per mile based on the estimates of competent Engineers. These contractors too, had a charter; but all that was swept away to give to this Mr. Jackson his 11,000L per mile. He would not allude to the transactions which had grown out of that; he would merely add here that during all these dissussions (sic) the argument was constantly that these gentlemen had unlimited wealth and credit, and that they would build the road better than other persons. The((y)) were, it was said, worth 4,000,000L sterling, that the English capitalists would rush to follow their lead; and when it was proposed that the premium on Provincial bonds should be kept back for the benefit of the Province instead of the bonds being paid at par, it was said that there was no necessity to trouble themselves about it, that these rich men would never want to borrow the money, and that it was not likely they would borrow money at 6 per cent in the Province if they could get it in London at 3 per cent.⁴⁷ Upon that occasion he took the very argument that the honorable Inspector General did last night, concerning the English stockholders.⁴⁸ Mr. Brown's arguments were answered by asking what it mattered how much money was spent since the Province was going to spend none itself. The difficulty in which the Province was placed now was just the one pointed out then. With nobody in the Province who believed these roads would pay, a charter was granted to a few speculators who were sent home to England to get capitalists to come into the bargain. When stringent restrictions to protect stockholders were asked for, the reply was, oh let them alone as they are quite able ((to)) take care of themselves. He (Mr. B.) and his friends replied that will not do. You have put members of your Government on the Board of Directors, and you will be held responsible. So it turned out. In the letter of Messrs. Glyn & Barings, they wrote to say that they regarded the scheme as a national enterprise, and that having gone into it in that way, they looked to the Province for assistance. He did not think that a good argument coming from these gentlemen; but it was an excellent argument coming from the rest of the shareholders. In fact, no Canaadian (sic) had ever entered into the enterprise, and such as had stock in it by reason of the amalgamation, sent their stock home immediately for sale. He felt how awkward was the position in which the Province was placed by these facts and yet, forsooth, the late--⁴⁹

MR. HINCKS.--Hear, hear.⁵⁰

MR. BROWN.--Well, all he could say was, that if he were in the position of the hon. member--if his name stood at the head of a prospectus, ((in)) which it was stated, by way of a bait, that this road would pay 11½ per cent p((r))ofit--he would not be found crying hear, hear, in the tone of the late Inspector General. Let any one read the list of stockholders, and see how many females--probably many widows--and how many trustees had invested in this stock; and let the late Inspector General, who called hear! hear! so boldly, consider how much misery had probably been thus caused. He said the Portland road was already almost paying; but what was the results of its working? Why, it earned 100,000L per annum, of which nearly the whole was absorbed in running expenses, and the rent and interest on it was 108,000L per annum.--Nobody ever believed that the Richmond, and still less the Trois Pistoles road, would pay.--The statistics of American railroads showed that it was

impossible. But it had been said that if we gave the railroad to our own contractors we might get the road from Montreal to Kingston, but should never get any others. Accordingly, all these grand schemes were brought together in one magnificent amalgamation.⁵¹

MR. HINCKS.--That was forced on us against our will by you and your friends.⁵²

MR. BROWN.--As for him, he voted against every motion tending to these amalgamations; and if by his friend was meant the member for Sherbrooke, he thought the affair was one of diamond cut diamond. The member for Renfrew wanted to cut the other gentleman out of his contract, and the member for Sherbrooke forced amalgamation against his will. But, at any rate, that was one of the best links brought into the amalgamation. However, to turn to other roads it was understood that they were speculations of private persons, though aided by the Government; but here were ministers of the Crown acting on the Board as paid Railway Directors, so mixed up with the company and its concerns that they could not be separated from it, so much that it appeared⁵³ Mr. Ross, the present Speaker of the Council, was sent over to London to induce Messrs. Baring and Glyn to come to the rescue of the contractors. He went there; and what happened? Railroads not represented, and nothing on their records,⁵⁴--

MR. GALT.--A mistake; I was there⁵⁵.

((MR. BROWN continued:--Railroads)) were amalgamated into one grand conglomerated whole, and a bill afterwards introduced to legalize the transaction. On the 12th of April the amalgamation was signed and the credit of the province pledged, and on the 25th the debentures were floated off. It was all very well for the Inspector General to say that these people desired the sympathies of the people of Canada. It was right that the stockholders should have our sympathies, but with regard to the contractors, they neither deserved sympathy nor consideration.⁵⁶ They took half the stock themselves and contrived to retain the right to obtain the other half, which they kept back in the meantime in the hope of making a large premium upon it.--However, a good deal of stock having been subscribed and a good deal of money paid up, the work commenced; but, in so scattered a manner, that the security afforded by it to the province was of the most doubtful character. In this respect, the Grand Trunk Company had a decided advantage over all others. With respect to other companies, the guarantee was not advanced till the road was partially completed. But in the case of this company, the guarantee was given even on the materials, and it was said even on material coming out from England. It was said that it was the war which made all these difficulties; but he doubted greatly if it were the war. Panics, of course, were to be expected, and the great recommendation of this Company was that, come weal or come woe, they would have the means of making it. But were not these same persons carrying on railways on the continent of Europe. Had not our other railways too gone on in the face even of the war? It seemed, at any rate, that the contractors did not break their engagements with this country alone, for he saw by New Brunswick papers that they had recently written out to say they must discontinue their works in that country.--Yet 2,200,000L which we were agreed they did not mean to receive, had passed through the hands of these contractors. But now arose another consideration; the member for Vercheres, after the original charter, had brought in a bill to change the guarantee. The contractors were thus to get 100,000L for the Victoria Bridge, and the guarantee was besides to be diffused over the whole line instead of being confined to the Grand

Trunk proper. When it was asked whether some other parts of the road had failed, the member for Renfrew declared they had not in the slightest degree.⁵⁷ We were then assured that Jackson, Peto & Co., were to carry out their contracts and were quite competent to do so. The hon. member for Renfrew told us that that aid amounted to nothing--it was only spreading out the guarantee--and in consequence of that very thing, the House was called upon to give a new aid. Diffusion! yes, it was diffusion; and it had led to confusion! (Hear, hear!)⁵⁸ The effect had been to destroy the conditions of the guarantee altogether. If the guarantee had been maintained over one spot, we should have had that part of the line nearly complete; as it was, there was nothing but materials scattered over about 1000 miles of country, and the Province was called on for farther advances to be, no doubt, followed by fresh demands. He complained that when the diffusion act was passed the bargain with contractors of the 2nd May had not been laid before the House, for it appeared by a letter sent down that night from Mr. Glyn to Mr. Taché that there had been such an engagement since Mr. Glyn had asked that the money arising from the debentures of the Province might be applied to the general purposes of the road, according to the terms agreed on at a conference with Lord Elgin and Mr. Hincks. Here, then, it appeared that a bargain was made to act in the direct teeth of the law.⁵⁹

MR. HINCKS said there had been no such bargain, and the writer had since acknowledged that he was in error.⁶⁰

MR. BROWN thought this a specimen of the way the whole business was conducted; there were persons interested with 2,000,000L of the country's debentures, and it was pretended that they were men who did not understand the terms of an engagement. If that were so, they were very unfit men to hold so large an amount of Provincial debentures. One great difficulty, indeed, in all this affair, was the multifarious relations these gentlemen held. They were stockholders to the amount of 700,000L; then, they were the financial agents of the Province; again, they were directors in London; holders of Provincial bonds; and, in addition to all, the bankers for the contractors. It was all very well to ask immense grants for gentlemen so situated, and then when their correspondence was examined, say there was no ground for it whatever. How did any one know that if Mr. Glyn were present he would not say Mr. Hincks was the party in error.⁶¹

MR. HINCKS.--Judge from the subsequent correspondence.⁶²

MR. BROWN then read the memorandum of Mr. Peto ... of May, 1854, and contended that that memorandum broke up the whole bargain previously existing between the Company and the contractors, and released the latter from the responsibility of taking the B. series of stocks and bonds, and this was done at the request of Messrs. Glyn and Barings, because they found that it would injure their stock of the A series to make the contractors throw the B series on the market. Now, if the present Inspector General did not know of this in October, he was treated with anything but the proper amount of confidence by the promoters of the railroad. On the other hand, if he did know it, and kept it back from the House, he showed very little of that candor for which he (Mr. B.) gave him credit. Now, when the Company were stuck fast again, he came down the second time; and when they should be stuck fast once more, he would have to come down with a new story and with bargains made about the present time. Yet, it was said the contractors asked no favor--they were ready to take what was due to them; in what--the stock of the Company? No; but

in bonds. But have they not been compelled by their contract to take the whole B series of bonds and stock, two thirds at once, and the other one-third if the public would not take them?⁶³ It is only now that they are willing to take 400,000L in the B series. We have been gulled--we have been allowed only to use our own means--we have been suffered to employ our own Canadian capital, credit, talent, and ability.⁶⁴ It would be said the Company had broken faith with the contractors, but who was the Company? Why those very persons themselves who turned out to be less than the least of our Canadian contractors. He then complained that this application was first made to the House in the latter end of April, thus affording members no time to reflect, though it was well known, and was even stated by Sir C. Roney, that money would be required before the House adjourned in the winter. He confessed, he sympathised with the present Inspector General in a business which was no doubt, by no means, one of choice; but he would do so more if he did not feel that his present unpleasant position was the direct effect of the unholy coalition into which he had entered. He believed even that gentleman did not know anything more of the affairs than the late Inspector General chose to tell him.⁶⁵ Does the hon. gentleman remember the bridge assertions? Where is the bridge now? (Interruption). The hon. member for Renfrew and the hon. member for Montmorenci are at loggerheads about it. Perhaps the question will be referred to the President of the Council, to Benjamin Holmes, or the member for Renfrew; but all will fall back upon the latter. Did the Inspector General say with whom we are doing business? Not he. He said there was no ground for telling in what state we are.⁶⁶ However, it appears from the present Insp. General's statement that the Company had received since the diffusion act, 815,000L, while they had only expended 450,000L. If that were so, he asked whether there was not need for enquiry for themselves. As to mere statements, the House had them before; but what had they all led to? He praised the clear manner in which the Inspector General had laid his scheme before the House. Its conditions topped off the Trois Pistoles Road, the Bridge, the Grand Junction Road, and the Toronto and Sarnia Road beyond Stratford. When, then, it was said that these parties now applying for aid had fulfilled their engagements, he asked if it were true. These were just the parts of the road they were paid to go on with, and here they were discontinued. Then it appeared from the statement of Mr. Cayley, the preceding evening, that the debts of the concern above its assets were 300,000L, after they got every shilling to which they were entitled, but leaving that, and returning to the discontinuance of certain portions of the road, he contended that the whole enterprise would be useless, if it had no termini--if it stopped at the east end at a village, and at the west at 80 miles from the American border. The Great Western, with 15,000L of receipts last week, made the whole by the American through traffic. Again, no one could fail to see the enormous wastefulness with which the road had been built; let the member for Victoria, for instance, say how the land damages in his neighborhood had been settled.⁶⁷

MR. J. SMITH said they were not yet settled.⁶⁸

MR. BROWN.--Exactly; they were all this time employed in running people down to get better bargains, threatening to take the road here and there, and all the time the people engaged in negotiating for the land were eating up more than the difference. Look at the Quebec and Richmond road; the cost had exceeded the sum it was to cost by 50,000L. Look at the stations there,--they were to be of brick or stone, but were miserable frame buildings, with no decent means to receive passengers. It was now running two or three times a week, and when it ran daily, it did so very irregularly. If the future were to be judged by the past, there were very little

grounds to give additional favors. Again, there were no persons appearing, with whom the bargain was now to be made. There was a letter indeed, from Glyn & Baring to the Inspector Gen., in the paternal style of patrons of the Province; but that purported to come from them as the financial agents of the Province and not as Directors of the Road. Was it Messrs. Hincks, Cartier and Crawford who asked for this? If so, he wished to know whether it was proper for them, the paid servants of Jackson & Co., to make such an application to that House. They had very little stock of their own; but they got 1,000L a year--too small a matter (sic), he admitted, when so much better pickings were going, to cast doubts on their good faith--and they, therefore, should not in his opinion ask the House to go into enterprises like that, calculated to serve the very parties for whom they worked. Further he believed the finances of the country were not in a position to bear this additional burden. Three years ago, our debt was but 5,000,000L; now it was directly and indirectly 12,000,000L; and thus the money market was choked to forward this one. Canada was already responsible for 230,000L of interest, and if this project were carried out would become responsible for 400,000L for he thought no one could doubt that the Province would have to meet every penny of it.⁶⁹

MR. HINCKS.--Hear, hear.⁷⁰

MR. BROWN.--Well those ex cathedra assertions of the hon. gentleman did very well once, but they had ceased to have weight since every one of his plans and assertions had broken down.⁷¹

MR. HINCKS.--No.⁷²

MR. BROWN.--No? Did not his scheme in conjunction with Mr. Howe break down. Did not the scheme conceived when he went to Nova Scotia break down too? Then his scheme for building the roads by debentures, did not that break down? Did he not break down the charter of his (Mr. Brown's) friends behind him; had he not broken down when he brought down his diffusion scheme? and had not that last plan broken now? But now, supposing the company were in a position to be dealt with, and to be trusted with the work, there arose this other question--is it wise to make this grant? He said no; and he held it was no answer to his objection to ask him to propose something better; for that was no part of the duty of an opposition--especially an opposition kept in ignorance of facts. One objection was that there was no security for these advances. When the sum now asked for was accorded 3,000,000L of money would have been advanced, and he held the works not to be sufficient to cover such a debt. This was the more true, because the reports of the Engineers on which the grant of money was based could not be depended on.--They just passed along the road, and saw materials; but never made out any proper statement of what there was there. There was therefore no security.⁷³

MR. S. SMITH (Northumberland) hold part of the money till the work is done.⁷⁴

MR. BROWN.--That would have been the way with any other Company, but that it seemed must not be done with this. If security were meant to be given, he would say wait till certain parts of the road are finished, and the money will then be forthcoming. He further contended that it would be impossible to take the first security as it was alleged it was intended to do for this loan, since there were bond-holders whose rights came already next after the first mort((g))age of the Province, and who would not of course consent to the degradation of their claim.⁷⁵

MR. INSP. GEN. CAYLEY.--Wait till you see the bill.⁷⁶

MR. BROWN thought the House should not be treated in that way being constantly told to wait for this and that and never allowed time to deliberate on anything. Even, however, if the advance were made, it would not help the Company. Its debt was now 1,300,000L and the assets 1,000,000L of which a large sum would not be due till the 1st of June 1855, while the work in the meantime must go on. It was true that Mr. Peto said he would take the B series in payment, but what security was there for his doing this now more than in 1852. In conclusion, he considered the only argument in favor of the bill was that if the Company were not assisted to go on it would ruin the Province. The same argument had been used before, and would no doubt be again when the next advance was applied for. He thought it was no good argument since it must stop somewhere. In the meantime the House knew nothing. Some one interested might he thought have come out from England to make a regular application and make binding engagements, and not have left the whole thing to a party of members in that House, not one of whom, except the member for Sherbrooke, held fifty shares.⁷⁷

MR. GALT said he found some difficulty in following the hon. member for Lambton (Mr. Brown) on this question of additional aid to the Grand Trunk. The hon gentleman, at the conclusion of his very able address, said the House was in complete ignorance of everything connected with the undertaking. So far from this being the case, the House, he considered, was in possession of the very fullest information. He did not think the Government could possibly have furnished the House with more distinct data on which to form an opinion of the merits of the application now before them, and was supplied in the papers which had been laid before the House.⁷⁸ Before more particularly discussing the merits of the proposition before the House, he would refer to one or two points which had been dwelt upon by the member for Lambton, and that gentleman admitted that if the question were merely between the Province and the mass of the stockholders in England, the latter might have claims for aid. He considered that admission (sic) a very important one, not with regard to any obligation on the part of the Province, for the Province had kept faith entirely; but as showing that there was in this case reason for doing what was done in the case of the Welland Canal, when it was thought that the interests of private persons who had invested their means ought not to be sacrificed to the strict letter of their engagements with the Province. In speaking of the amalgamation of the several companies, the hon. gentleman had fallen into considerable errors, in stating that the amalgamation was from the first to comprise all the railroads which eventually formed part of the Grand Trunk. It had been already explained to the House that at the time of the amalgamation bill being first introduced, there was no project for any amalga((ma))tion, except with the St. Lawrence and Atlantic Company. Being at that time in opposition to the Government Railway policy, he had transferred certain rights in a charter to the St. Lawrence and Atlantic Company, and it was proposed to the Inspector General to extend the amalgamation to the road from Kingston to Toronto, and include therein the building of the Victoria Bridge, as the condition upon which the charter should be given up. He subsequently went to England, and arrived about the 1st Jan. and there occupied himself, with the Speaker of the Legislative Council, in arranging the details of the amalgamation. It was not necessary to enter into the discussion of the points raised at length. He believed that it was the desire of the member for Megantic, who was also in London, and the Speaker of the Legislative Council, to connect with the Grand Trunk the Trois Pistoles road and the Quebec and Richmond road, the latter, because without

that connection it was clear that there could be no union between the Trois Pistoles and other parts of the Grand Trunk. The addition of a road in the West, with which he was also connected, was resolved on, to give the Grand Trunk Company, a Western terminus, and means to reach the road from the Western States. That Company was in a perfectly independent position without the amalgamation at least to go as far as Guelph, and had the money market remained in the position it was then in, it would probably have been easy to carry it further; but the interest of the Grand Trunk would have been utterly neglected unless every possible means had been taken to give it a connection with the Great West. It was not at that time desirable that this connection should be only through medium of the Great Western Company, for that company was at the time under the influence of the New York Central. As ((to)) the statement that the amalgamation was made by parties having no authority from the several companies, the best answer to that was that there was no complaint from the parties interested.⁷⁹ He (Mr. Galt) took part in those negotiations along with the Speaker of the Legislative Council (Mr. Ross), Mr. Rhodes, and Mr. Forsyth, all of whom were fully authorized to act in the interests of their respective companies. The hon. gentleman said he had no sympathy with Baring & Glyn in their present difficulties, whatever he might have with the other stockholders, because he said that it was through their fault that the Company had got into its present (*sic*) position, occasioned by their holding back half the stock for purposes of individual profit. It was perfectly true that one half of the stock was held back, but the reason of that had already been two or three times explained. Every one must be aware that it was one thing to bring out a scheme for 7,250,000L on the money market, and quite another to bring out a scheme for 3,000,000L. He could speak of the state of the money market at that time, from having been present and watching it narrowly day by day, as well as the proceedings of the Bank of England with regard to interest which was rapidly rising--and the question then was, if they had brought out the whole 7,250,000L at once, whether they could have floated it off at all, or got one shilling subscribed.⁸⁰ As regards Messrs. Peto and Co.'s connection with this reserved stock, it must be evident to every one, that they sought their profits from their contracts, not from share speculation; and it was ridiculous to think that they would, for the sake of a paltry premium on one-third of the reserved stock, run the risk of having all possible profit on their works annihilated, and themselves seriously embarrassed, by the B shares being left on their hands.⁸¹ The same thing was true of Messrs Glyn and Barings⁸². He believed that Baring & Glyn went into the enterprise from a desire to serve the best interests of the Province. If they had looked upon it as a mere speculation for their own individual profit, he was certain they would never have entertained it for a moment. Indeed, in Mr. Baring's case, he believed that this was the first railroad with which that gentleman had ever permitted his name to be associated, having kept himself altogether aloof from what was termed the railroad mania that existed some years ago in England.⁸³ When that firm had avoided all connection with roads likely to lead to large profits, it was not easy to believe that they would enter upon this merely to put a premium not into their own pockets even, but into that of the contractors, since they could make no profit upon any stock but what they held themselves, and that at the most to the extent of one or two per cent. To the argument which made it highly improbable that these gentlemen had acted in such a manner, he could add his positive knowledge that they went into the scheme in order to promote something which they understood the people of Canada were most anxious to see carried out, and because they had confidence in those persons who were to undertake the works.⁸⁴ The hon. member for Lambton had said that the effect of the Act, diffusing the guarantee, which received the Royal assent last December, was to place the security of

the Province in a worse position than it would have been in if that Act had not passed. He could not admit that the security of the Province was thereby impaired.⁸⁵ That could only have happened in one of the two cases--either by the engagements of the Province towards the Contractors being increased, or by the expenditure of the Company not having reached the amount of the guarantee. Now the first guarantee was given at the rate of 3,000L per mile from Trois Pistoles to Quebec and from Montreal to Toronto; but the works were extended from Trois Pistoles to Toronto. In the meantime, the money market getting from bad to worse, it was determined last May to suspend part of the works from Trois Pistoles to St. Thomas, and from Stratford to Sarnia. Then came the bill of last December, which permitted the Government not to give a greater sum than the original guarantee; but to apply it on the whole expenditure of the Company. Now upon this he would just put one question to the member for Lincoln or the hon. member for Lambton--whether the security of the Province was at all impaired by⁸⁶ substituting the security of the nearly completed line from Toronto to Stratford, for that of the road between St. Thomas to Trois Pistoles now suspended.⁸⁷ Certainly the security was not worse on a road from St. Thomas in the West to Stratford, than from St. Thomas in the East to Trois Pistoles.⁸⁸

MR. BROWN thought the security would be better if concentrated on a portion of the road really completed than if spread over 300 miles one-third completed. If finished, of course the Western portion of the road would be the best security.⁸⁹

MR. GALT.--Well, if not finished 700,000L had been expended on the Western portion of the road while little or nothing had been done on the other. The truth was, that the diffusion diffused nothing. As to the guarantee on the Quebec and Richmond and on ... the Portland road the company were entitled to that before, and all that was done was to allow the guarantee to fall upon a part of the work three-fourths finished, so that the money should be received at once, rather than let it fall upon another part of the road, which was scarcely begun. The member for Lambton following up this part of the case, had stated that since the passage of the bill, the Government had advanced 815,000L while the Company had expended 450,000L in the same time. If that were so, it would be a very serious thing, and would fall under the second condition, in which he had shown that the Province might lose by the bill of December. But the fact was, that the payments made under that bill had amounted, according to the statement of the Inspector General, not to 815,000L; but to 366,008L.⁹⁰ The amount of Province bonds released was only 524,000L, viz, 26,000L, 17th November; 498,000L, 26th January,--the bill having passed on the 18th of December; and of these amounts the only part affected by the bill, amounted to 366,500L, or an amount much within the outlay.⁹¹ Now prior to the Act of last December, the Guarantee Acts were first the general Act under which the St. Lawrence and Atlantic road fell, and secondly by the Grand Trunk Act of 1852. Under the 1st., the Province agreed to give 50 per cent, on the outlay on all roads. If, then, this Act had not been repealed, the Company were in a position to apply to the Government for half the expenditure on the St. Lawrence and Atlantic and Richmond route. Now on the first, the expenditure had been 1,366,000L, and less some deductions for such outlay as might have been considered to be made for repairs, the Company were entitled to claim 684,000L, instead of which, they had really received 467,000L. So in the Richmond road, they were entitled to claim 373,000L, and had got only 250,000L. It was at least a proof of good faith that they had consented to limit the amount of guarantee on those roads to what they had received; and so far from the Province increasing its liability, its liability was really reduced.⁹²

MR. J.S. MACDONALD of Glengary.--Why did they not claim it if they could.⁹³

MR. GALT.--Well the fact that they did not call for it showed they thought they could go on without calling for more than they were generally supposed to be entitled to. He would refer here to one more statement which he was sure his friend must have made through inadvertence. His friend had stated that Sir C. Roney had declared last December that more would be required. He thought that a mistake, because he had often himself told Sir Cusac, that he thought so, and Sir Cusac had always expressed a contrary opinion. He said that because he did not wish to be supposed Sir Cusac Roney would make one statement, till his turn was served, and had then said something else to individuals. He thought the member for Lambton was now satisfied that the letter of Messrs Glyns, to which that gentleman had referred was a mistake on their part. It had been said that the minute of the 2nd May, involved a breach of the engagement between the Company and the contractors; but he could find no attempt on the part of the contractors to recede from their position.⁹⁴ The only changes contemplated by that minute were the suspension of certain works, to avoid the necessity of selling the B shares at an unfavorable time. The arrangement was embodied in the correspondence laid before the House last November, and had been mos((t)) fully discussed there. It was absurd to charge the member for Renfrew and Lord Elgin, with having made a different arrangement from that carried out, when the letters of Messrs. Baring & Glynn, now before the House, show that the misconception was on their part. He was in London with Mr. Hincks and was cognizant of the agreement, and was able to testify that he never heard any other meaning given to it than that which was stated to the House last November, and embodied in the letters.⁹⁵ He would not follow the honorable gentleman in all the ground he went over, as to who were the parties interested in the Grand Trunk, what were their names, &c. He did not think it necessary, in connection with the proposition before the House, to go into these questions. The question now before the House was brought in by the Government, he apprehended not as a matter of choice--(hear, hear)--but from a conviction of its necessity. For the purpose of argument he would admit the truth of what the member for Lambton said--that there had been a great deal of bad management, that everything had been going wrong--and to a certain extent he agreed with him that matters now might have been in a better position, if a different policy had been adopted.⁹⁶ He agreed with his honorable friend, in believing it equally bad policy for the Province and the Company to stop at Stratford, when the extension of the line a few miles would bring it to London, and give them a connection with the Railways leading to the Great Western.⁹⁷

MR. J.S. MACDONALD (Glengary).--Hear, hear!⁹⁸

MR. GALT understood what the hon. member meant--that he had a personal interest--and of course if he had feared the gentleman's sneer (sic) he should have said nothing about it. But in the interest of the Province he said that the connection with London ought to be made, for if it were no power on earth could prevent the road being prosecuted to the westward. He did not think there were the same cogent reasons for completing the line to the East, but no doubt, even there, there were very important reasons for doing so independent of the investments of gentlemen living along the line.⁹⁹ It was true the honorable member for Glengary differed with them both, for he had stated that if he had his way he would strike off the lines both east and west and it must be gratifying to the friends of the Trois Pistoles as well as of the Sarnia line, to know their fate, if the member for Glengary had the settlement of the question.¹⁰⁰ The question was now in this position. The Province found that it had advanced 1,776,000L, and the works were

not yet finished, and an application came from Baring & Glynn, the financial agents of the Province, for this aid on behalf of the Company, and stating that unless it was given, the greatest possible embarrassment must occur, and that in fact the works must stop.¹⁰¹ He felt that in approaching this question of additional aid to the Grand Trunk, it was manifest that it could be entertained on no other ground than that of necessity, and as a means of avoiding what must be regarded as a greater evil by the country--the total abandonment of the work--the loss of two millions now lent to it--or its completion by the Province at a probable additional cost of two and a half millions more. He was satisfied the action of the Government in bringing this aid forward (sic), would be most unpopular; but he believed the question could not be shirked--they had to meet it--and the House had now to consider the proposal they made. He was prepared to give his opinion that however unpopular it might be to give the aid, it would be much more unpopular had the Government allowed the House to rise without considering the position of the undertaking and had the consequence been the entire suspension of the works. The House had heard from both sides a great deal of argument on the subject of the wealth and means of the company and the contractors. In his opinion all this was entirely a waste of words. Every one must feel satisfied that no single individual could furnish millions of money; and whatever the engagements of parties had been, or were, the House had really only to consider the case before them; which was, in one word, that the company were totally unable to go on, unless aid were granted. This was the real state of the case, and when the statements before them showed that the Company owed upwards of 1,200,000L, and had only about 1,000,000L of calls on the A series to meet it--payable by calls over a period of 16 months--it was perfectly idle for honorable gentlemen to talk of the works proceeding, and new expenditure being made, without aid. The House had therefore to decide on one of these courses--either to abandon the railway altogether, or to forfeit the private capital wasted, and finish it as a public work, or to grant sufficient aid to the Company to carry them through. These points he would consider separately. The abandonment of a work in which nearly two millions of Provincial money was embarked, and the enormous loss to the whole country by the railway being given up, were, he believed, conclusive measures against this policy. No member of the House had ventured to support it, and no Government could be so unmindful of the interests of the country as to entertain it. On the project of foreclosing the Provincial mortgage, and finishing the railway as a public work, he would first state that honorable gentlemen must remember that no such steps could be taken until the conditions of the mortgage were unfulfilled. This was not yet the case and it was not very likely that, knowing as the Company must the great interest felt in the enterprise, they would at once voluntarily surrender all their own investment, when by continuing for a year or two a total suspension of the works, they might by a termination of the war, possibly be able again to resume them. He begged the House, therefore, to dismiss the idea altogether, that they could under any circumstances at once assume the works themselves; on the contrary they would find the works indefinitely postponed, and that some arrangement would have to be made with the shareholders and bondholders for assuming their interest; in short, they would have to deal with them in the same way as had been done with the former Welland Canal Company; while the suspension must greatly increase the cost of ultimate completion--must very seriously damage the credit of all Canadian enterprises, and must deprive the country for years of the benefit of a work which all earnestly desired. Apart from these reasons, he had himself very grave objections to this railway being a provincial work; he ... had no wish to see such an enormous amount of additional patronage from a Government that had already far too much. It only, therefore, remained to consider the last course--that of aiding the company to go on. This was the one

determined on by the Government, and so far, their policy appeared correct; he had, therefore, only to consider how far this proposal to give additional aid of 900,000L, was justified by the evidence before the House. The points were simply--will the sum be sufficient? will its application be properly guarded? and what security will the Province possess? He would not weary the house with figures, but endeavour to make the case plain; the company now owed 1,200,000L; they wanted 1,800,000L to finish the line from St. Thomas to Stratford; and the Inspector General allowed 200,000L for contingencies, their requirements were therefore about 3,200,000L. Their assets appeared to be about 1,000,000L yet to be paid on the A calls, which the Inspector General felt justified in assuming as good, sixty per cent having been already paid with great regularity. 900,000L of B series company's bonds, which Peto & Co. proposed to take, 435,000L of present guarantee yet necessary to be issued, and 900,000L of additional aid was proposed. Of this total 3,235,000L, he was disposed to adopt the Inspector General's view that the 1,000,000L of A calls, or nearly that sum would be realized; the Provincial aid of 1,345,000L was of course good; and the question therefore confined itself to this, would Peto & Co. take the 900,000L B bonds? If this question were satisfactorily answered, he believed the works could be completed for the sum required. Now in regard to those B bonds he perceived by the accounts, that 400,000L of the Company's liabilities were to Peto & Co., and he had heard the member for Renfrew state that this amount would be paid in the B bonds. He (Mr. Galt) wanted to understand distinctly from the Inspector General whether this were so, and if the Government would make it a condition of the present aid; he then clearly understood that of the B bonds¹⁰² 400,000L¹⁰³ would be at once taken by Peto & Co., in payment of their claims on the Company. This being so, and the Government having stated that it will be required, the amount is narrowed down to 500,000L; and, he was quite prepared to say, that if the Government, in the details of their bill, fenced in the present grant with sufficient restrictions, he should feel no apprehension that the remainder of the B bonds would be duly taken up. Personally, he had every confidence in the promise of the contractors; but he was anxious to satisfy those who might not share that confidence. On the second point, as to the new issue of credit being properly guarded, he should now say nothing; it was properly to be dealt with on the details of the measure, and he would be disposed when the bill came down, to make it as stringent as possible. The last point is, therefore, what security will the Province have, if this aid be granted.¹⁰⁴ On this point he wished to correct some of the statements of the honorable member for Montreal, (Mr. Dorion) who had, he was sure, without the intention of misleading the House, inadvertantly (*sic*) estimated the amount of guarantee greatly beyond its correct amount. He had stated that on the line originally guaranteed from Montreal to Toronto, and the Trois Pistoles line, the amount would be 7,800L currency per mile.--Now it was scarcely fair to state sums in currency, when all the other figures were in sterling. The amount, according to the view taken by his hon. friend, would really be 6,200L¹⁰⁵ ((OR)) 6,500L¹⁰⁶ sterling; but it was manifestly most unfair to unite the Toronto and Stratford line, on which the Province had a claim for this very money, and which being included, reduced the amount to five thousand pounds per mile. This was not, however, the real question--it was, how much would be the guarantee if 900,000L more be given, on the whole line, when completed from St. Thomas to Stratford. The distance was 713 miles of complete railway, for a loan of 3,211,500L, giving a mileage (*sic*) rate of 4,360L sterling. This would be the total amount per mile, and for his (Mr. Galt's) part, he had no doubt whatever that the Province could incur no risk whatever. The honble member for Lambton, however, had endeavored to show that the risk was very great, and in support of his opinion, he had stated that the gross receipts of the Montreal and Portland line for last year were only about

100,000L. Now he was really surprised to hear this statement when he had in his hand the printed statement laid before the House, shewing that the receipts for the half year ending with the 31st Dec. were over 100,000L. His honorable friend called his attention to the last traffic return of the Company, as the date on which the statement was made; and here again he must correct him, for this statement showed that from the 1st January to the 14th April last, the receipts were 55,000L, that is for three and a half months in Winter. It would be very unfair to judge of the receipts of this section by the receipts of last year, when the line was opened, and when the returns showed an increase now of 1,000L per week, but even that were sufficient to prove that for the half million of Provincial aid, that section was already raising enough to pay all that was due. Looking at the whole statements before the House, he was disposed to believe the course proposed by the Government the best and only one whereby the great Provincial interests involved could be protected, ... although he must reserve his final judgement until the details of the Bill were before him. He thought there were no grounds for adopting the amendment of the member for Glengarry, and he would support the motion for going into Committee.¹⁰⁷ In conclusion, he put this as the great question before the House--whether the Government should enable the Company to go on, or whether it should throw up the work and thus cause not only serious delay, but as far as Lower Canada was concerned at least, should cause a cessation of work, which in the present time of commercial depression, must be most disastrous.¹⁰⁸

MR. INSP. GEN. CAYLEY could confirm the statements of the hon. member for Sherbrooke, respecting the traffic and revenue of the Montreal and Portland line of road. It had nearly doubled in 1854 over the traffic and revenue of 1853. Then the first Quarter of 1854 had given 42,824L receipts, that of 1855 55,374L, and there was every prospect that it would so increase, week by week, and month by month, as to leave no doubt of profit. The revenue, so far this year, was at about the rate of 300,000L, while that of last was but 240,000L.¹⁰⁹

MR. CAMERON would wish to see the net returns, deducting all expenses.¹¹⁰

MR. INSP. GEN. CAYLEY.--Had not then got the net returns but would produce them to-morrow.¹¹¹ With regard to the statements and predictions of the hon. member for Lambton, he only required to refer to the statements and predictions made in the debate last Fall, to show whether that hon. member or he were entitled to the most reliance. Here the Inspector General read from the report of the debates as they appeared in the "Globe," corrected, he said no doubt, by the hon. member himself, to show that his predictions had been falsified, and his (the Inspector General's) verified. Among other things the member for Lambton had stated that by expending 300,000L the contractors would get the whole Government guarantee. The returns showed that they had expended 454,000L and 435,000L of the Government guarantee still remained in the hands of the London agents. The member for Lambton had then asserted that 606,000L¹¹² ((OR)) 660,000L¹¹³ would be released by the then proposed arrangement. He had replied that it would only be 325,000L. The whole amount paid out since then, had been under 500,000L, while of that only 360,000L had been under the bill of last Fall. The hon. gentleman proceeded to refer to other similar alleged discrepancies.--It had been insinuated by the hon. gentlemen (sic) opposite that he was only possessed of such information on this matter as the hon. member for Renfrew chose to give him. Now the fact was, he had not received a single hint or figure from that hon. member. He had carefully investigated the matter for himself and his colleagues, and endeavoured to arrive at the safest and wisest conclusion

for the benefit of the country, devoting the best exertions of his humble abilities to the subject. No one was responsible for the proposition they had decided on but himself and colleagues, and they had no desire to throw the burden of that responsibility on anybody else. It was said, however that he was kept in ignorance, or had concealed from the House last autumn the information respecting the arrangements made in England in May, as now made known in the printed statement. Why the debate then turned on that arrangement. All the information contained in the printed letters was given to the House, and the terms of the arrangement embodied in the bill, though Mr. Peto's letter itself was not laid before the House. He thought the remarks made about Messrs. Baring and Glyn uncalled for and unfair, seeing that those gentlemen had no means of defending themselves.¹¹⁴ The contract of the 2nd of May last had not been broken off, as stated.¹¹⁵

MR. BROWN said some letters were read to the House by the member for Renfrew on the third day of the debate, which so surprised members that they led to an immediate adjournment; but the new bargain contained in this letter to Sir M. Peto was not admitted, nor the letter itself laid before the House. He must repeat, that if that letter was then in the hands of the Inspector General, he had not dealt candidly with the House in keeping it back. The hon. member then went on to contend that he was quite correct in his s((t))atements last autumn, adding the order just passing through Council at that time for 224,000L (which should be included, though the Inspector General refused to include it) to the amount admitted to have been received, since it brought the amount up to just about 600,000L. The contractors had not spent all the amount stated out of their own funds, and on the principle then laid down were entitled to the whole guarantee. He continued to argue the correctness of his statements in other respects.¹¹⁶

MR. CAMERON asked if it was the intention of the Government to press the matter to-night, then past 11 o'clock. (Cries of "Yes.") He¹¹⁷ had listened to all the arguments and examined all the papers laid before the House with an anxious desire to give the Government his assistance if possible.--The great difficulty he felt about doing so was, that according to the proposition before the House the roads were to be suspended at either end of the line, thus lessening the guarantee and the chances of profit. He thought the House should be very careful before granting the money asked to secure a sufficient guarantee for the re-payment of the money, and as the best means to that end the completion of the road in such a way as would make it pay. He was sorry that the Government had not brought down and laid on the table of the House the bill they proposed to base on the resolution, in order that members might see what sort of security they proposed to get from the company and contractors for the completion of the road with this grant. That would very much facilitate the hon. members in making up their minds for or against the grant. As far as he was concerned, he should feel little difficulty in supporting the scheme, if proper precautions were taken to secure the completion of the road, and the securing an outlet to the West. To stop at Stratford was to deprive the road, thence to Toronto, the chance of paying. It should either be carried on to Sarnia, or authority given to go from Stratford and St. Mary's to London, to tap the Great Western. The traffic thus gained would help to provide a guarantee for the re-payment of the loan, by raising the traffic and earnings to a profitable amount.--He was entirely unaware of the views of the Government in this regard; whether they intend to allow the works to be altogether suspended, West of Stratford, or no, but it would be satisfactory to have them announced before they were called upon to vote for a bill. As to the Committee, proposed by the hon. and

learned member for Glengary, he saw no reason for its appointment. If the grant was to be refused, its inquiry would be useless, if granted, than (sic) those who, like himself, had confidence in the Government, must trust the matter in their hands. The grant must be voted or refused now. Here hon. members had gone back to the very origin of the Company, had raked up the faults and mistakes of its originators and Directors, and commented severely on them. For his part he thought that was not what they had to deal with now. Almost every member of the House was prepared to say that the bargains they had made for the purchase of the St. Lawrence and Atlantic road and other acquisitions had been improvident, and locked up money that might have been more usefully employed. But all that had been passed over and sanctioned by Parliament already. They had only now to consider whether a necessity existed for coming to the aid of the company, and next, if so, what security they could get for the proper expenditure of the grant and its re-payment. With respect to the necessity of the case, the contractors and Government had not been quite explicit.¹¹⁸ It was not stated on the part of the Contractors that they were able to carry on the works.¹¹⁹ ((OR)) They had not stated in express terms that if the aid was not granted, the works would be stopped. Perhaps they did not desire to do so but laid the figures before the House showing their position, and left them to infer the fact. Of course the whole case of necessity rested on that point. If, as he supposed, without the grant the works were abandoned, it would be a long time before the Government could get them into its hands. It could only take possession when the Company failed to pay the interest on the debentures advanced. In the meantime, the works would deteriorate, and the Province be placed in a still worse position than now. In another point of view also, the Province would be worse off. It had advanced some 2,300,000L in debentures--the interest on which amounting to some 130,000L or 140,000L per annum; the Province had never yet been called upon to pay. It had been hitherto provided for by the Company. So soon, however as the works were abandoned and passed into the hands of the Government, this would become an annual charge upon the revenue. The case of necessity then was so plain and had left no difficulty about it, but he had felt some difficulty about the nature of the security offered. It could not be pretended that, if the road were taken to Stratford, and not carried on to some place which would give it an outlet to the West, that portion of the road would yield a profitable return and assist the Company to repay the advance. If it were determined not to push on to Sarnia, authority should be given the Company to go to London. The road in fact, was in a forward state to St. Mary's, some twelve or fourteen miles, and but twenty-five or twenty-eight remained to be built. Without a Western terminus, securing a portion of the traffic of the Western States, he did not see how the road could be expected to pay anything like a reasonable profit over and above working expenses.--With regard to any of these roads he was quite aware that it was not fair to take their revenue at the commencement as anything like a criterion for what it would become when developed. The Portland road already showed a net revenue on the half year, of something like 30,000L, which had more than met the interest.¹²⁰

MR. BROWN.--The office expenses and salaries were to be deducted from that.¹²¹

MR. CAMERON.--That was included, he understood, under the head of general charges, 1738L.¹²²

MR. BROWN.--That was nothing. He was told the salaries amounted to 20,000L.¹²³

MR. CAMERON.--However that might be, if only the amount of profit shown in the statement was secured over a road with all the traffic between Montreal and the

seaboard to feed it, how could they expect a road terminating at a little place like Stafford could be made to pay? They would meet with no opposition in going to London. So little did the Great Western fear opposition that having more business than it could possibly do, it cared not what roads were chartered north or south of it. To insure the substantial security to be afforded by the completion of these roads the House must take care that the money was not advanced faster than the completion of portions of the line placed beyond doubt. He thought provision should be made that a certain sum should be paid over on completion of the section between Montreal and Brockville; another when the section between Brockville and Kingston was finished. The country would thus have the security for their money before their eyes when the money was expended. He should not oppose going into Committee to pass the resolutions, but he reserved for himself the right to oppose the bill when it was brought in if its provisions were not satisfactory¹²⁴ ((OR)) if the Government did not introduce a clause in the Bill to have the Company bound to continue the road to Sarnia,¹²⁵ or effecting a junction with the Great Western at London.¹²⁶

MR. HINCKS asked if the hon. and learned member for Toronto had any doubt about the Company possessing the right now to build the branch to London? If not, as interested in the success of the road, he should urge that it be given.¹²⁷

MR. CAMERON was surprised to find, after a careful examination, that they had no such right. It was for that reason he had urged the necessity for providing for it.¹²⁸

MR. FERRIE quite agreed in all that had fallen from the hon. and learned member for Toronto. He should offer no opposition to the going into Committee, but it would depend altogether upon what was in the bill whether he should support it or not.¹²⁹

MR. RANKIN also concurred in the view taken by the hon. member. He thought it wise to suspend the road to Sarnia for the present, as to build it until the Michigan railway were made, would be to add to the other unproductive expenditure of the company. That Railway as yet only existed on paper. The road would pass through a thinly settled country and could secure no through business at its terminus.¹³⁰

MR. HINCKS.--It would get the Lake business.¹³¹

MR. RANKIN.--Only for one half of the year. Passengers or emigrants arriving at Sarnia must take a steamer and go 70 miles to Detroit to get a road through Michigan, or go 700 miles by water to Chicago. By going down to London and over the great western road to Amherstburg and Detroit, they had the choice of several roads through Michigan, as well as the water communication.¹³²

MR. CHAPPAIS thought the benefit of the eastern end of the route should not be lost sight of. It was not likely that it would prove profitable until it had an outlet to the ocean. By pushing on to Trois Pistoles they brought it near the junction with the St. Andrew's and Quebec railroad, now being built by the New Brunswick people. He trusted that part of the project was not going to be abandoned altogether.¹³³

MR. LARWILL.--Before the question was put wished to say a few words. He had ever been in favor of a Grand Trunk Railway, but had never been in favor of the

Grand Trunk Company. Under the circumstances, however, he felt bound to support the Government. The hon. member for Lambton had talked much about the ((mis))management of the company--such had no doubt more or less manifested itself--speculations, scheming, and trickery had ever marked such companies, but no one would say that the same was peculiar to ourselves as a people. Look at the Erie Canal; what was its condition at its commencement. Look at the difficulties which DeWitt Clinton had to contend with. Its whole career from its commencement to its completion was marked by a series of difficulties which none but a gigantic mind could have overcome. Who had not heard the charges of mismanagement made, in relation to that Canal, the speculations, peculations, scheming, trickery, and rascality, which characterised it. Look at the Great Western, its history told a like tale--mismanagement of some kind was inseparable from undertakings of such magnitude in a greater or lesser degree.¹³⁴ It is natural to such undertakings, and is universal in its operations. The great fault with us was that we commenced at the wrong end, or rather, at no end at all, but in the middle, and scarcely there, but at intermediate places--a regular patchworker, commencing nowhere and ending anywhere. Now, he (Mr. L.) was of opinion, that the whole line would pay, if finished, and perhaps none better than that which was now thought least of. God, in the allotment of those creatures which he intended for the benefit of man, had wisely allotted them. For instance, fish he had placed in bountiful profusion in the Gulf of the St. Lawrence¹³⁵. Man's wants he had anticipated in the vast Prairies of the Great Western. What was wanted in one place was supplied by another, and hence a mutual, wholesome and profitable transit would exist. Fish would be exchanged by one end for flour from the other. But independent of these considerations we must go on--our character and credit, public faith and public credit, public opinion; our future hopes and expectations all combine to encourage and compel us to advance the money. Some gentlemen would give their support if improvements of a similar nature were made in the Ottawa valley. That, in the opinion of certain gentlemen was a most wonderful country. Its fertility was such, the inhabitants could almost raise sufficient of the necessities of life to support themselves, they had never been like their countrymen at Chicoutimi dependent upon the bounty of Government for support; others would give their aid, if the Government would promise to build a Railway on the North side of the St. Lawrence. True, only one car per day travelled over the South Shore Road, but upon the North Shore¹³⁶ more would travel, consequently it would never be worn out. It was decidedly the best route. Others¹³⁷, because they were learned men would vote only on the promise of Government, that the Port Sarnia Road would be built. They had town lots in the village, and of course spoke disinterestedly. The way to look at this question was simply this. We had advanced money for which we had security, may we not safely go on and do that--for himself--he should be ready when wanted. Hon. gentlemen were too much in the habit of looking at this question, as Money Changers and Brokers. This was not the way to look at it; a Government was not like a private individual, a people could be benefitted (sic) indirectly by such improvements. Our public lands had increased rapidly in value, as an instance he would mention the fact, that the construction of one or two roads in his county within the last two years had raised the price of wild land from 5s. to 5L per acre, ought we not to credit public works with the merit, when we enjoy the benefits. There was another most important benefit derived by the country from these improvements. They encouraged the working classes of Europe to emigrate here, and we should remember that every male adult was worth to the country 500L. It cost about that sum to raise every male and female child to the age of maturity, and take 1000 infants, and out of that number how many do arrive to the age of maturity. The subject of emigration and its value was not sufficiently understood, we wanted a

population, and this was a means of obtaining it ready manufactured, which would save us much trouble. The rough working man, and the healthy dairy maid, full of buoyancy and vigour, were ready to take hold of their work, and so beautifully were the gifts of providence bestowed upon this country, that both would soon see and feel that by taking hold of each other they might be the means of conferring yet greater benefits upon themselves and upon Society. The more he examined the matter the more satisfied was he that the Government was acting wisely.--Great had been the mismanagement of the Erie Canal, but having tasted of its sweets the State of New York would swallow much worse bitters rather than do without it. So with regard to the Grand Trunk. Let whatever incidental evils that might take place, they would be lost sight of in the benefits it would produce, and he was confident that Canada would sustain the Government.¹³⁸

The question being then put on Hon. J. Sandfield Macdonald's Amendment, the House divided¹³⁹.

(967)

And the Question being put; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Aikins, Biggar, Bourassa, Brown, Bureau, Christie, Charles Daoust, Darche, DeLong, DeWitt, Jean B.E. Dorion, Antoine A. Dorion, Frazer, Freeman, Hartman, Huot, Jobin, Laberge, John S. Macdonald, Roderick McDonald, Mackenzie, Marchildon, Matheson, Mattice, Papin, Prévost, Rolph, and Scatcherd.--(28.)

(967-968)

NAYS.

Messieurs Alleyn, Bell, Blanchet, Brodeur, Burton, Cameron, Cartier, Cauchon, Cayley, Chapais, Chauveau, Church, Clarke, Crawford, Crysler, Daly, Jean B. Daoust, Desaulniers, Dionne, Attorney General Drummond, Dufresne, Ferrie, Foley, Thomas Fortier, Octave C. Fortier, Fournier, Galt, Gamble, Guévremont, Hincks, Holton, Jackson, Labelle, Langton, Laporte, Larwill, Lemieux, Lumsden, Macbeth, Attorney General Macdonald, Sir A.N. MacNab, Masson, Meagher, Mongenais, Joseph C. Morrison, Angus Morrison, O'Farrell, Powell, Rankin, Rhodes, Robinson, Roblin, Solicitor General Ross, James Ross, Sanborn, Shaw, Solicitor General Smith, Sidney Smith, James Smith, Spence, Stevenson, Terrill, Thibaudeau, Turcotte, and Whitney.--(65.)

So it passed in the Negative.

MR. HARTMAN objected to the votes of Messrs. Crawford, Hon. G.E. Cartier, Galt, Hon. F. Lemieux, Hon. F. Hincks, A. Morrison, J.C. Morrison, Rhodes, ((and)) Holton, ... because being shareholders in the Company, they were pecuniarily interested in the decision of the question, and he moved that each of their names should be struck off the division list. He proceeded to argue that the interest of these gentlemen was such as to disqualify them under the¹⁴⁰ 11th¹⁴¹ rule of the House, and quoted several precedents from May and other authors in support of his views.¹⁴²

MR. J.S. MACDONALD, MR. BROWN, and MR. LANGTON supported the same doctrine.¹⁴³

MR. PRES. EX. COUN. MACNAB, MR. AT. GEN. J.A. MACDONALD and MR. HINCKS contended that the precedents cited were not applicable, and cited others, and speeches from Sir Robert Peel, Lord John Russell and others on their side of the question.¹⁴⁴

The rule, it was contended by MR. AT. GEN. J.A. MACDONALD, only applied to private measures, not public ones. Private measures were in the nature of a contract between individuals and the body politic, and, therefore, a treating party to that contract could not vote in representing the public interest. But the terms of the rule especially excepted matters of public policy, which this undoubtedly was, and it would be monstrous to disfranchise ten or eleven constituencies on a question whether nearly a million of the people's money was to be voted away.¹⁴⁵

MR. HINCKS urged on the same grounds the rejecting of the motions. A case exactly in point was Sir Robert Peel's bill to substitute gold for paper payments affecting directly the interests of the Bank of England. A motion was made to reject the votes of several members who were directors of that bank, but it was lost. In reply it was urged that if it were a question of voting away the people's money, it was also one of voting it into the pockets of the shareholders in the Grand Trunk Railway Company. The hon. member objected to, among the rest.--A precedent was cited in which the votes of members of the House of Commons, Shareholders in the Grand Trunk Railway Company, were rejected on the ground of interest in a bill relating to the affairs of that Company.¹⁴⁶

MR. PRES. EX. COUN. MACNAB said that was a private measure, they might as well reject the votes of officers in the army and navy who were members of the House of Commons from the divisions on the army and navy estimates. That was voting money into their pockets. Yet it was never thought of, Ministers voted their own salaries, and members of Parliament their own allowances.¹⁴⁷

MR. SICOTTE the SPEAKER dit qu'il faut que la motion se fasse séparément pour chaque membre dont on veut faire rescinder le vote, afin que ce membre puisse offrir une justification pourquoi son vote ne doit pas être retranché.¹⁴⁸

MR. HARTMAN propose alors que le vote de M. Crawford soit retranché.¹⁴⁹

(968)

Notice being taken that Mr. Crawford, the Honorable Mr. Cartier, Mr. Galt, the Honorable Mr. Lemieux, the Honorable Mr. Hincks, Mr. Angus Morrison, Mr. Rhodes, Mr. Joseph Curran Morrison, and Mr. Holton, who voted with the Nays, are Shareholders in the Grand Trunk Railway Company.

Mr. Crawford was heard in his place; and stated that he is a Shareholder in the Grand Trunk Railway Company, but neither personally or pecuniarily interested in this Question.

And then he withdrew.

Mr. Hartman moved, seconded by Mr. Christie, and the Question being put, That Mr. Crawford being a Shareholder of the Grand Trunk Railway Company, his Vote be disallowed; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bourassa, Brown, Bureau, Cameron, Christie, Darche, DeWitt, Jean B.E. Dorion, Foley, Frazer, Hartman, Huot, Jobin, Laberge, Langton, John S. Macdonald, Mackenzie, Marchildon, Mattice, Papin, Powell, Prévost, Rolph, Scatcherd, and Thibaudeau.--(25.)

NAYS.

Messieurs Alleyn, Bell, Brodeur, Burton, Cartier, Cauchon, Cayley, Church, Clarke, Cryslar, Daly, Jean B. Daoust, Desaulniers, Dionne, Attorney General

Drummond, Dufresne, Octave C. Fortier, Fournier, Galt, Gamble, Guévremont, Jackson, Labelle, Larwill, Lemieux, Macbeth, Attorney General Macdonald, Sir A.N. MacNab, Masson, Meagher, Mongenais, Joseph C. Morrison, Angus Morrison, Murney, Robinson, Roblin, Solicitor General Ross, James Ross, Shaw, Solicitor General Smith, Spence, Stevenson, Terrill, Turcotte, and Whitney.--(45.)

So it passed in the Negative.

The Honorable Mr. Cartier was heard in his place; and stated that he is a Stockholder in the Grand Trunk Railway Company, but neither personally nor pecuniarily interested in this Question.

(969)

And then he withdrew.

Mr. Hartman moved, seconded by Mr. Christie, and the Question being put, That the Honorable Mr. Cartier being a Shareholder of the Grand Trunk Railway Company, his Vote be disallowed; the House divided; and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bourassa, Brown, Bureau, Cameron, Christie, Darche, DeWitt, Jean B.E. Dorion, Foley, Frazer, Hartman, Huot, Jobin, Laberge, Langton, John S. Macdonald, Mackenzie, Marchildon, Mattice, Papin, Powell, Prévost, Rolph, Scatcherd, and Thibaudeau.--(25.)

NAYS.

Messieurs Alleyn, Bell, Brodeur, Burton, Cauchon, Cayley, Chapais, Church, Clarke, Crawford, Crysler, Daly, Jean B. Daoust, Desaulniers, Dionne, Attorney General Drummond, Dufresne, Octave C. Fortier, Fournier, Galt, Gamble, Guévremont, Jackson, Labelle, Larwill, Lemieux, Macbeth, Attorney General Macdonald, Sir A.N. MacNab, Masson, Meagher, Mongenais, Joseph C. Morrison, Angus Morrison, Murney, Robinson, Roblin, Solicitor General Ross, James Ross, Shaw, Solicitor General Smith, Spence, Stevenson, Terrill, Turcotte, and Whitney.--(46.)

So it passed in the Negative.

Mr. Galt was heard in his place; and stated that he is a Stockholder in the Grand Trunk Railway Company, but neither personally nor pecuniarily interested in this Question.

And then he withdrew.

Mr. Hartman moved, seconded by Mr. Christie, and the Question being put, That Mr. Galt being a Stockholder (sic) of the Grand Trunk Railway Company, his Vote be disallowed; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bourassa, Brown, Bureau, Cameron, Christie, Darche, DeWitt, Jean B.E. Dorion, Foley, Frazer, Hartman, Huot, Jobin, Laberge, Langton, John S. Macdonald, Mackenzie, Marchildon, Mattice, Papin, Powell, Prévost, Rolph, Scatcherd, and Thibaudeau.--(25.)

(969-970)

NAYS.

Messieurs Alleyn, Bell, Brodeur, Burton, Cartier, Cauchon, Cayley, Chapais, Church, Clarke, Crawford, Crysler, Daly, Jean B. Daoust, Desaulniers, Dionne, Attorney General Drummond, Dufresne, Octave C. Fortier, Fournier, Gamble,

Guévremont, Jackson, Labelle, Larwill, Lemieux, Macbeth, Attorney General Macdonald, Sir A.N. MacNab, Masson, Meagher, Mongenais, Joseph C. Morrison, Angus Morrison, Murney, Robinson, Roblin, Solicitor General Ross, James Ross, Shaw, Solicitor General Smith, Spence, Stevenson, Terrill, Turcotte, and Whitney.--(46.)

So it passed in the Negative.

(970)

The Honorable Mr. Lemieux was heard in his place; and stated that he is a Shareholder in the Quebec and Richmond Railway Company, but that his Shares have not yet been converted into Grand Trunk Shares; and that he does not therefore consider himself disqualified to vote upon the Question.

And then he withdrew.

Mr. Hartman moved, seconded by Mr. Christie, and the Question being put, That the Honorable Mr. Lemieux being a Shareholder in the Grand Trunk Railway Company, his Vote be disallowed; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bourassa, Brown, Bureau, Cameron, Christie, Darche, DeWitt, Jean B.E. Dorion, Foley, Frazer, Hartman, Huot, Jobin, Laberge, Langton, John S. Macdonald, Mackenzie, Marchildon, Mattice, Papin, Powell, Prévost, Rolph, Scatcherd, and Thibaudeau.--(25.)

NAYS.

Messieurs Alleyn, Bell, Brodeur, Burton, Cartier, Cauchon, Cayley, Chapais, Church, Clarke, Crawford, Crysler, Daly, Jean B. Daoust, Desaulniers, Dionne, Attorney General Drummond, Dufresne, Octave C. Fortier, Fournier, Galt, Gamble, Guévremont, Jackson, Labelle, Larwill, Macbeth, Attorney General Macdonald, Sir A.N. MacNab, Masson, Meagher, Mongenais, Joseph C. Morrison, Angus Morrison, Murney, Robinson, Roblin, Solicitor General Ross, James Ross, Shaw, Solicitor General Smith, Spence, Stevenson, Terrill, Turcotte, and Whitney.--(46.)

So it passed in the Negative.

The Honorable Mr. Hincks was heard in his place; and stated that he is a Stockholder in the Grand Trunk Railway Company, but has no direct pecuniary interest in this Question.

And then he withdrew.

Mr. Hartman moved, seconded by Mr. Christie, and the Question being put, That the Honorable Mr. Hincks being a Shareholder in the Grand Trunk Railway Company, his Vote be disallowed; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bourassa, Brown, Bureau, Cameron, Christie, Darche, DeWitt, Jean B.E. Dorion, Foley, Frazer, Hartman, Huot, Jobin, Laberge, Langton, John S. Macdonald, Mackenzie, Marchildon, Mattice, Papin, Powell, Prévost, Rolph, Scatcherd, and Thibaudeau.--(25.)

(971)

NAYS.

Messieurs Alleyn, Bell, Brodeur, Burton, Cartier, Cauchon, Cayley, Chapais, Church, Clarke, Crawford, Crysler, Daly, Jean B. Daoust, Desaulniers, Dionne, Attorney General Drummond, Dufresne, Octave C. Fortier, Fournier, Galt, Gamble,

Guévremont, Jackson, Labelle, Larwill, Lemieux, Macbeth, Attorney General Macdonald, Sir A.N. MacNab, Masson, Meagher, Mongenais, Joseph C. Morrison, Angus Morrison, Murney, Robinson, Roblin, Solicitor General Ross, James Ross, Shaw, Solicitor General Smith, Spence, Stevenson, Terrill, Turcotte, and Whitney.--(47.)

So it passed in the Negative.

Mr. Angus Morrison was heard in his place; and stated that by the amalgamation of the different Railways he has become a Shareholder in the Grand Trunk Railway Company, but that he does not consider himself interested in the Question.

And then he withdrew.

Mr. Hartman moved, seconded by Mr. Christie, and the Question being put, That Mr. Angus Morrison being a Shareholder in the Grand Trunk Railway Company, his Vote be disallowed; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bourassa, Brown, Bureau, Cameron, Christie, Darche, DeWitt, Jean B.E. Dorion, Foley, Frazer, Hartman, Huot, Jobin, Laberge, Langton, John S. Macdonald, Mackenzie, Marchildon, Mattice, Papin, Powell, Prévost, Rolph, Scatcherd, and Thibaudeau.--(25.)

NAYS.

Messieurs Alleyn, Bell, Brodeur, Burton, Cartier, Cauchon, Cayley, Chapais, Church, Clarke, Crawford, Crysler, Daly, Jean B. Daoust, Desaulniers, Dionne, Attorney General Drummond, Dufresne, Octave C. Fortier, Fournier, Galt, Gamble, Guévremont, Hincks, Jackson, Labelle, Larwill, Lemieux, Macbeth, Attorney General Macdonald, Sir A.N. MacNab, Masson, Meagher, Mongenais, Joseph C. Morrison, Murney, Robinson, Roblin, Solicitor General Ross, James Ross, Shaw, Solicitor General Smith, Spence, Stevenson, Terrill, Turcotte, and Whitney.--(47.)

So it passed in the Negative.

Mr. Rhodes was heard in his place; and stated that he is a Shareholder in the Grand Trunk Railway Company, but that he has no direct pecuniary interest in the Question.

And then he withdrew.

Mr. Hartman moved, seconded by Mr. Christie, and the Question being put, That Mr. Rhodes being a Shareholder in the Grand Trunk Railway Company, his Vote be disallowed; the House divided: and the names being called for, they were taken down, as follow:--

(972)

YEAS.

Messieurs Bourassa, Brown, Bureau, Cameron, Christie, Darche, DeWitt, Jean B.E. Dorion, Foley, Frazer, Hartman, Huot, Jobin, Laberge, Langton, John S. Macdonald, Mackenzie, Marchildon, Mattice, Papin, Powell, Prévost, Rolph, Scatcherd, and Thibaudeau.--(25.)

NAYS.

Messieurs Alleyn, Bell, Brodeur, Burton, Cartier, Cauchon, Cayley, Chapais, Church, Clarke, Crawford, Crysler, Daly, Jean B. Daoust, Desaulniers, Dionne, Attorney General Drummond, Dufresne, Octave C. Fortier, Fournier, Galt, Gamble, Guévremont, Jackson, Labelle, Larwill, Lemieux, Macbeth, Attorney General Macdonald, Sir A.N. MacNab, Masson, Meagher, Mongenais, Joseph C. Morrison, Angus Morrison, Murney, Robinson, Roblin, Solicitor General Ross, James Ross, Shaw, Solicitor General Smith, Spence, Stevenson, Terrill, Turcotte, and Whitney.--(47.)

So it passed in the Negative.

Mr. Joseph Curran Morrison was heard in his place; and stated that he is not a Shareholder in the Grand Trunk Railway Company.

Mr. Holton was heard in his place; and stated that he is a Shareholder in the Toronto and Guelph Railway Company, which Shares are convertible into Grand Trunk Railway Shares, but that he has no interest resolvable into a personal pecuniary profit, or such as is peculiar to a Member, and not in common with the interest of the subject at large.

And then he withdrew.

Mr. Hartman moved, seconded by Mr. Christie, and the Question being put, That Mr. Holton being a Shareholder in the Grand Trunk Railway Company, his Vote be disallowed; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bourassa, Brown, Bureau, Cameron, Christie, Darche, DeWitt, Jean B.I. Dorion, Foley, Fraser, Hartman, Huot, Jobin, Laberge, Langton, John S. Macdonald, Mackenzie, Marchildon, Mattice, Papin, Powell, Prévost, Rolph, Scatcherd, and Thibaudeau.--(25.)

(972-973)

NAYS.

Messieurs Alleyn, Bell, Brodeur, Burton, Cartier, Cauchon, Cayley, Chapais, Church, Clarke, Crawford, Crysler, Daly, Jean B. Daoust, Desaulniers, Dionne, Attorney General Drummond, Dufresne, Octave C. Fortier, Fournier, Galt, Gamble, Guévremont, Jackson, Labelle, Larwill, Lemieux, Macbeth, Attorney General Macdonald, Sir A.N. MacNab, Masson, Meagher, Mongenais, Joseph C. Morrison, Angus Morrison, Murney, Rhodes, Robinson, Roblin, Solicitor General Ross, James Ross, Shaw, Solicitor General Smith, Spence, Stevenson, Terrill, Turcotte, and Whitney.--(48.)

So it passed in the Negative.

(973)

Then the main Question being put, That Mr. Speaker do now leave the Chair; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Alleyn, Bell, Brodeur, Burton, Cartier, Cauchon, Cayley, Chapais, Church, Clarke, Crawford, Crysler, Daly, Jean B. Daoust, Desaulniers, Dionne, Attorney General Drummond, Dufresne, Octave C. Fortier, Fournier, Galt, Gamble, Guévremont, Jackson, Labelle, Larwill, Lemieux, Macbeth, Attorney General Macdonald, Sir A.N. MacNab, Masson, Meagher, Mongenais, Joseph C. Morrison, Angus Morrison, Murney, Robinson, Roblin, Solicitor General Ross, James Ross, Shaw, Solicitor General Smith, Spence, Stevenson, Terrill, Turcotte, and Whitney.--(47.)

NAYS.

Messieurs Bourassa, Brown, Bureau, Cameron, Christie, Darche, DeWitt, Jean B.E. Dorion, Foley, Fraser, Hartman, Huot, Jobin, Laberge, Langton, John S. Macdonald, Mackenzie, Marchildon, Mattice, Papin, Powell, Prévost, Rolph, Scatcherd, and Thibaudeau.--(25.)

So it was resolved in the Affirmative.

MR. PRES. EX. COUN. MACNAB then acquainted the House, that His Excellency having been informed of the subject matter of the Hon. Mr. Cayley's motion, recommends it to the consideration of the house.¹⁵⁰

(973)

The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Joseph Curran Morrison reported, That the Committee had come to a Resolution.

Ordered, That the Report be received on Friday next.

*Then, on motion of Mr. Solicitor General Smith, seconded by Mr. Whitney,
The House adjourned.¹⁵¹*

FOOTNOTES: 2 MAY 1855.

1. LA MINERVE, 12 May 1855.
2. LE PAYS, 8 May 1855.
3. IBID.
4. MORNING CHRONICLE, 9 May 1855.
5. GLOBE, 15 May 1855.
6. MORNING CHRONICLE, 9 May 1855.
7. GLOBE, 15 May 1855.
8. MORNING CHRONICLE, 9 May 1855.
9. MONTREAL GAZETTE, 7 May 1855.
10. GLOBE, 15 May 1855.
11. IBID.
12. GLOBE, 15 May 1855, in contrast to the JOURNALS, reports "Mr. Cayley ... moved that the orders of the day be read."
13. GLOBE, 15 May 1855.
14. MORNING CHRONICLE, 9 May 1855.
15. TORONTO DAILY LEADER, 10 May 1855.
16. MORNING CHRONICLE, 9 May 1855.
17. TORONTO DAILY LEADER, 10 May 1855.
18. MORNING CHRONICLE, 9 May 1855.
19. LE PAYS, 10 May 1855.
20. MORNING CHRONICLE, 9 May 1855.
21. LE PAYS, 10 May 1855.
22. GLOBE, 15 May 1855.
23. LE PAYS, 10 May 1855.
24. MORNING CHRONICLE, 9 May 1855.
25. LE PAYS, 10 May 1855.
26. LE COURRIER DE SAINT HYACINTHE, 11 May 1855.
27. LE PAYS, 10 May 1855.
28. MORNING CHRONICLE, 9 May 1855.
29. LE PAYS, 10 May 1855.
30. LE COURRIER DE SAINT HYACINTHE, 11 May 1855.
31. LE PAYS, 10 May 1855.
32. LE COURRIER DE SAINT HYACINTHE, 11 May 1855.
33. LE PAYS, 10 May 1855.
34. LE COURRIER DE SAINT HYACINTHE, 11 May 1855.
35. LE PAYS, 10 May 1855.
36. LE COURRIER DE SAINT HYACINTHE, 11 May 1855. "La prime de 306L par mille" mentioned by LE COURRIER DE SAINT HYACINTHE, 11 May 1855, refers to the "premium sur les débentures émises par la province" equal to 384 12,4L currency per mile, as reported by LE PAYS, 10 May 1855, in footnote 29. LE COURRIER DE SAINT HYACINTHE, 11 May 1855, further explains that this premium is the sum obtained by contractors from the sale of provincial debentures.
37. LE PAYS, 10 May 1855.
38. MORNING CHRONICLE, 9 May 1855.
39. IBID.
40. IBID.
41. IBID.
42. IBID.
43. IBID.
44. LE PAYS, 10 May 1855.

45. TORONTO DAILY LEADER, 10 May 1855.
46. LE PAYS, 10 May 1855.
47. MONTREAL GAZETTE, 7 May 1855.
48. TORONTO DAILY LEADER, 10 May 1855.
49. MORNING CHRONICLE, 10 May 1855.
50. IBID.
51. IBID.
52. MORNING CHRONICLE, 10 May 1855. It is unclear whether or not Mr. Hincks actually spoke at this point. TORONTO DAILY LEADER, 10 May 1855, reports a similar exchange as in footnotes 51, 52, and 53, but omits Mr. Hincks, who is replaced by Mr. Galt. TORONTO DAILY LEADER's account reads as follows:
 "((Mr. Brown:)) ... a bill was introduced by the honorable member for Renfrew to unite them all in one grand amalgamation and the honorable member for Sherbrooke supported him.
 "Mr. Galt.--Nothing of the kind.
 "((Mr. Brown:)) It was diamond cut diamond, the honorable member for Renfrew forced upon him the amalgamation of the Portland line against his will."
53. MORNING CHRONICLE, 10 May 1855.
54. TORONTO DAILY LEADER, 10 May 1855.
55. IBID.
56. IBID.
57. MONTREAL GAZETTE, 7 May 1855.
58. TORONTO DAILY LEADER, 10 May 1855.
59. MORNING CHRONICLE, 10 May 1855.
60. IBID.
61. IBID.
62. IBID.
63. MORNING CHRONICLE, 10 May 1855. For more information submitted by Mr. Peto on 2 May 1854, the reader can refer to MONTREAL GAZETTE, 1 May 1855; MORNING CHRONICLE, 4 May 1855; and LA MINERVE, 10-12 May 1855. These newspapers have also reprinted correspondence between the British contractors and agents, a letter to Mr. Insp. Gen. Cayley, as well as financial statements, which outline the general situation of the Grand Trunk.
64. TORONTO DAILY LEADER, 10 May 1855.
65. MORNING CHRONICLE, 10 May 1855.
66. TORONTO DAILY LEADER, 10 May 1855.
67. MONTREAL GAZETTE, 7 May 1855.
68. MORNING CHRONICLE, 10 May 1855.
69. IBID.
70. IBID.
71. IBID.
72. IBID.
73. IBID.
74. IBID.
75. IBID.
76. IBID.
77. IBID.
78. GLOBE, 15 May 1855.
79. MORNING CHRONICLE, 12 May 1855.
80. GLOBE, 15 May 1855.
81. TORONTO DAILY LEADER, 10 May 1855.
82. MORNING CHRONICLE, 12 May 1855.

83. GLOBE, 15 May 1855.
84. MORNING CHRONICLE, 12 May 1855.
85. GLOBE, 15 May 1855.
86. MORNING CHRONICLE, 12 May 1855.
87. GLOBE, 15 May 1855.
88. MORNING CHRONICLE, 12 May 1855.
89. IBID.
90. IBID.
91. TORONTO DAILY LEADER, 10 May 1855.
92. MORNING CHRONICLE, 12 May 1855.
93. IBID.
94. IBID.
95. TORONTO DAILY LEADER, 10 May 1855.
96. GLOBE, 15 May 1855.
97. TORONTO DAILY LEADER, 10 May 1855.
98. MORNING CHRONICLE, 12 May 1855.
99. IBID.
100. TORONTO DAILY LEADER, 10 May 1855.
101. GLOBE, 15 May 1855.
102. TORONTO DAILY LEADER, 10 May 1855.
103. HAMILTON SPECTATOR, 12 May 1855.
104. TORONTO DAILY LEADER, 10 May 1855.
105. HAMILTON SPECTATOR, 12 May 1855.
106. MORNING CHRONICLE, 12 May 1855.
107. HAMILTON SPECTATOR, 12 May 1855.
108. MORNING CHRONICLE, 12 May 1855.
109. MONTREAL GAZETTE, 8 May 1855.
110. TORONTO DAILY LEADER, 10 May 1855.
111. IBID.
112. MORNING CHRONICLE, 14 May 1855.
113. TORONTO DAILY LEADER, 10 May 1855.
114. MORNING CHRONICLE, 14 May 1855.
115. TORONTO DAILY LEADER, 10 May 1855.
116. MORNING CHRONICLE, 14 May 1855.
117. TORONTO DAILY LEADER, 10 May 1855.
118. MORNING CHRONICLE, 14 May 1855.
119. TORONTO DAILY LEADER, 10 May 1855.
120. MORNING CHRONICLE, 14 May 1855.
121. IBID.
122. IBID.
123. IBID.
124. IBID.
125. TORONTO DAILY LEADER, 10 May 1855.
126. GLOBE, 15 May 1855.
127. MORNING CHRONICLE, 14 May 1855.
128. IBID.
129. IBID.
130. IBID.
131. IBID.
132. IBID.
133. IBID.
134. HAMILTON SPECTATOR, 12 May 1855.

135. TORONTO DAILY LEADER, 10 May 1855.
136. HAMILTON SPECTATOR, 12 May 1855.
137. TORONTO DAILY LEADER, 10 May 1855.
138. HAMILTON SPECTATOR, 12 May 1855.
139. GLOBE, 15 May 1855.
140. MORNING CHRONICLE, 14 May 1855. This newspaper differs from the JOURNALS and LE PAYS, 10 May 1855, in reporting the names of the voters objected to, as it includes Mr. Ferres. The ellipsis covers this addition.
141. GLOBE, 4 May 1855.
142. MORNING CHRONICLE, 14 May 1855.
143. IBID.
144. IBID.
145. IBID.
146. IBID.
147. IBID.
148. LE PAYS, 10 May 1855.
149. IBID.
150. GLOBE, 15 May 1855.
151. GLOBE, 15 May 1855, reports: "The house then adjourned at three o'clock in the morning."

THURSDAY, 3 MAY 1855.

(973)

THE following Petitions were severally brought up, and laid on the table:--

By Mr. Lumsden,--The Petition of L. Fairbanks and others, Clerks of Division Courts for the County of Ontario.

By Mr. Shaw,--The Petition of the Reverend D.C. McDowell and others, of the Township of Beckwith.

By Mr. Scatcherd,--The Petition of William Whillaus, junior, and others, of the County of Middlesex.

(974)

By Mr. Matheson,--The Petition of Hugh McKay and others, Bailiffs of the Division Courts, County of Oxford.

By Mr. LeBoutillier,--The Petition of Timothy Downie, of the Township of Percé, County of Gaspé.

By Mr. Roblin,--The Petition of N.S. Quackinbush and others, of the Township of Fredericksburgh.

By Mr. Clarke,--The Petition of Robert Emond and others, of the first and second Concessions of the Township of Garafraxa.

By Mr. Antoine Aimé Dorion,--The Petition of the Montreal General Hospital.

By Mr. Chisholm,--The Petition of William Spragge; and the Petition of James Cotton, of the City of Toronto.

By Mr. James Ross,--The Petition of Charles C. Neville and others, Clerks of Division Courts for the United Counties of Northumberland and Durham.

By Mr. Laberge,--The Petition of A. Dufresne and others, of the Parish of St. Athanase.

By the Honorable Mr. Rolph,--The Petition of A.S. Barber and others, Bailiffs, of the County of Norfolk; and the Petition of Henry Anderson and others, of the County of Norfolk.

Pursuant to the Order of the day, the following Petitions were read:--

Of F.E. Juneau, President of the Library Association of School Teachers of the District of Quebec; praying for an aid.

Of Aimé Massue and others, of the Parish of Varennnes; and of the Municipality of the Township of Clarence; praying that a permanent Seat of Government may be established.

Of James Kennedy, at present confined in the Gaol at Brockville; praying that the allowance provided by law for the support of indigent debtors may be increased.

Of Donald McLeod and others, of the Township of Charlottenburgh, in the United Counties of Stormont, Dundas, and Glengarry; of Donald Munro and others, of the Township of Williams, County of Middlesex; of John Meyer and others, of the Township of Woolwich, in the County of Waterloo; of Robert McCallister and others, of the County of Welland; and of W.T. Shaven and others, of the County of York; praying that the discretionary power of commutation may not be exercised in carrying out the provisions of the Clergy Reserves Act.

Of Cyrille Bernier and others, Masters of Vessels navigating the Gulf and River St. Lawrence; praying for the passing of a law providing that Consignees or Proprietors of cargoes of vessels may be held responsible for wharfage dues.

Of J. Murphy and others, of the Township of Tingwick; praying that the United Counties of Drummond and Arthabaska may be united to those of Sherbrooke and Wolfe, for the election of a Member for the Legislative Council.

Of William A. Smith and others, Bailiffs, of the County of Wentworth; praying that their Tariff of Fees may be increased.

Of F.X. Ponsant and others, of the Parish of St. François d'Assise, in the County of Beauce; praying that the Parish of St. François d'Assise may be the chief place of the said County.

Mr. Jobin, from the Standing Committee on Contingencies, presented to the House the Thirteenth Report of the said Committee; which was read, as followeth:--

Your Committee being desirous of reporting upon the current Contingent Account of Your Honorable House, to as late a period as practicable, directed the Accountant to prepare the Accounts for audit up to the 31st March last, inclusive, being for the further period of three months from the date of the last audit.

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The Account Current herewith shews, as per Books of Account, the balance in the hands of the Clerk on the 1st January last, to be Three thousand two hundred and thirty-one pounds seven shillings and nine pence, which, together with the several sums, of Four thousand pounds, obtained by requisition of the Clerk during the adjournment of the House,--of Eight thousand pounds, on Address of the 3rd March last,--and Seven thousand pounds, on account of Indemnity to Members agreeably to the Act 12 Vic. cap. 33, amounting to the sum of Twenty-two thousand two hundred and thirty-one pounds seven shillings and nine pence, is placed to the credit of Your Honorable House.

The amount under the different heads of Disbursements, is Fourteen thousand and fifty-nine pounds five shillings and four pence, shewing a balance in the hands of the Clerk, on the 1st ultimo, of Eight thousand one hundred and seventy-two pounds two shillings and five pence, which sum is carried to the credit of Your Honorable House in the Books of Account.

Dr. Account Current of William Burns Lindsay, Esquire, Clerk of the Legislative Assembly, of the Monies received and disbursed by him as Contingencies, from the 31st December, 1854, to the 31st March, 1855. Cr.

1855.		£	s.	d.		£	s.	d.
January	1 To balance on hand, as per last Account Current.....	3231	7	9	Paid on account of Indemnity.....	4605	4	4
					do Salaries, in full.....	2177	11	4
February	6 To amount of Warrant, on application of the Clerk, on 23rd January, 1855.....	4000	0	0	do Extra Services, on account.....	413	17	6
					do Messengers, on account.....	335	3	9
March	7 To amount of Warrant on Address of 5th instant.....	8000	0	0	do Expenses of Committees, in full.....	35	5	0
					do Library, in full.....	174	8	4
do	30 To amount of Warrant on Indemnity.....	7000	0	0	do Printing, on account.....	5098	6	8
					do Stationery, in full.....	104	9	2
					do Postage, in full.....	151	8	6
					do Newspapers, &c., full.....	95	16	11
					do Tradesmen, &c., in full.....	446	11	8
					do Miscellaneous...	423	2	2
					Balance on hand.....	8172	2	5
		£	22231	7 9		£	22231	7 9

Quebec, 1st April, 1855.

Thos. Vaux,
Accountant.

E. & O.E.

W.B. Lindsay,
Clk. Assy.

Geo. Macbeth,
Geo. K. Chisholm.
Sub-Committee.

Mr. Thomas Fortier, from the Special Committee to which was referred the Letter of the Clerk of the House, laid on the table by the Honorable the Speaker, in reference to the appointment of an additional Clerk Assistant, with an Instruction to the said Committee to enquire concerning the capacity of each of the Officers and Clerks of this House, and their fitness to discharge their duties in the several Offices now respectively held by them, or to which they may hereafter be appointed, with a view to ensure the efficient discharge of the duties devolving upon them respectively, and another reference, with power to report from time to time,

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presented to the House the First Report of the said Committee; which was read, as followeth:--

Your Committee have had under their consideration the Letter of the Clerk referred to them in the early part of the Session, and the Letter of the Clerk Assistant referred to them on the 1st instant. Mr. Faribault had previously sent in his Letter to the Committee, but no action could be taken upon it, until referred to them by Your Honorable House.

After a due consideration of its details they have arrived at the unanimous conclusion, that, in view of the long and faithful services (extending over a period of 43 years) and advanced age of the Clerk Assistant, (65 years) that Officer should be permitted to retire from the service of Your Honorable House.

Mr. Faribault, in addition to the duties of his Office, has devoted a considerable portion of his time to the formation of a collection of valuable works and documents connected with the History of Canada.

Your Committee have much pleasure in bearing testimony to the zeal which he has always displayed in the service of Your Honorable House, and beg leave to recommend that he be allowed a Pension of Four hundred pounds, per annum, during the remainder of his life.

In making choice of a new Clerk Assistant, Your Committee need not say that the greatest care should be taken, that the person appointed to fill that Office be in every respect qualified for the performance of its duties. The qualification most essential, and indeed indispensable, is a thorough knowledge of both the English and the French languages, in order to be enabled to translate *viva voce* from either.

Your Committee have only to refer to the following Rule of Your Honorable House, as a proof of one of the instances in which that qualification is indispensable:--

"Rule 36. That no motion shall be delivered or put, unless the same be in writing and seconded. When a motion is seconded it shall be read in English and French by the Speaker, if he is a master of both languages, if not, the Speaker shall read in either of the two languages most familiar to him, and the reading in the other language shall be at the table by the Clerk or his Deputy."

In addition to this qualification, Your Committee think that the duty of the Clerk Assistant would be more efficiently performed by a person not too far advanced in years, who would be better enabled to bear the fatigues of a long Session.

Your Committee have unanimously come to the conclusion to recommend for the Office in question, W.B. Lindsay, junior, Esquire, at present Assistant Law Clerk and English Translator to Your Honorable House. Mr. Lindsay has already performed the duties of Clerk Assistant, both during the last and the present Sessions, at different periods, to the satisfaction of Your Honorable House, and from his possessing a thorough knowledge of both languages, they entertain no doubt that, should their recommendation be carried out, the duties of that Office will be most efficiently performed.

Ordered, That the said Report be printed for the use of the Members of this House.

The Honorable Mr. Cameron, from the Standing Committee on Miscellaneous Private Bills, presented to the House the Thirty-fifth Report of the said Committee; which was read, as followeth:--

Your Committee have considered the Bill to confirm the present boundaries of certain Lots in the Township of Winchester, and have agreed to report the same without any amendment.

They have also considered the Bill to establish and confirm the original Survey

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of the Concession lines in the Township of Niagara, and have agreed to an amendment:

Also, the Bill further to amend the Act, intituled, "An Act for the encouragement and relief of certain persons therein named and others, and authorizing them to associate themselves by the name of 'The Quebec Benevolent Society,' under certain restrictions, rules, and regulations therein mentioned," and the Bill to incorporate the General Drainage and Land Improvement Company, to each of which they have prepared several amendments; and which amendments they have the honor to submit for the consideration of Your Honorable House.

Ordered, That the Bill to confirm the present boundaries of certain Lots in the Township of Winchester, be committed to a Committee of the whole House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Jobin reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time To-morrow.

On motion of Mr. Antoine Aimé Dorion, seconded by Mr. Bureau,

Ordered, That the 71st Rule of this House be suspended as regards the Bill to amend the Act, intituled, "An Act to make more ample provision for the Incorporation of the Town of St. Hyacinthe, and to extend its limits."

Sur motion de MR. SOL. GEN. H. SMITH,¹

(977)

Ordered, That the Bill to incorporate the General Drainage and Land Improvement Company of Upper Canada, as reported from the Standing Committee on Miscellaneous Private Bills, be committed to a Committee of the whole House, for To-morrow.

Sur motion de MR. COOKE,²

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Ordered, That the Return relative to Schools in the Ottawa District, presented on the 24th ultimo, and the Return relative to the Lachine Canal, presented on the 10th ultimo, be printed for the use of the Members of this House.

On motion of Mr. Whitney, seconded by Mr. Solicitor General Smith,

Ordered, That the 71st Rule of this House be suspended as regards the Bill to incorporate the Corresponding Committee at Montreal of the Colonial Church and School Society.

Ordered, That the Bill to establish and confirm the original Survey of the Concession Lines in the Township of Niagara, as reported from the Standing Committee on Miscellaneous Private Bills, be committed to a Committee of the whole House, for Monday next.

The Honorable Mr. Hincks, from the Standing Committee on Railroads, Canals, and Telegraph Lines, presented to the House the Sixteenth Report of the said Committee; which was read, as followeth:--

Your Committee have taken into their consideration the Bill to amend the Acts incorporating the Champlain and St. Lawrence Railroad Company, and for other

purposes, and have agreed to several amendments thereto, which they humbly submit for the adoption of Your Honorable House.

Ordered, That the Bill to amend the Act incorporating the Champlain and St. Lawrence Railroad Company, and for other purposes, be committed to a Committee

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of the whole House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Bureau reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.³

Ordered, That the Bill be read the third time To-morrow.

On motion of Mr. Holton, seconded by Mr. Antoine Aimé Dorion,

Ordered, That the 71st Rule of this House be suspended as regards the Bill to transfer to the City of Montreal all the property, rights, and privileges, heretofore enjoyed by the Wardens of the House of Industry in the City of Montreal, and for other purposes.

On motion of Mr. Antoine Aimé Dorion, seconded by ((Mr.)) Holton,

Ordered, That the 71st Rule of this House be suspended as regards the Bill to amend the provisions of the several Acts for the Incorporation of the City of Montreal.

On motion of the Honorable Mr. Attorney General Macdonald, seconded by Mr. Solicitor General Smith,

Ordered, That the Bill from the Legislative Council, intituled, "An Act to incorporate the Trustees of the House of Industry in Kingston," be now read for the first time.

The Bill was accordingly read the first time; and ordered to be read a second time To-morrow.

The Order of the day for the third reading of the Bill to amend the Port Dalhousie and Thorold Railway Act, by extending the said Road from Thorold to Port Colborne, and for other purposes, being read;

The Honorable Mr. Merritt moved, seconded by Mr. Hartman, and the Question being put, That the said Order of the day be discharged, and the Bill now recommitted to a Committee of the whole House for the purpose of amending the same;

Mr. Joseph Curran Morrison moved in amendment to the Question, seconded by Mr. James Smith, That the word "now" be left out, and the words "this day three months" added at the end thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Alleyn, Blanchet, Brodeur, Burton, Cameron, Casault, Cayley, Chabot, Chapais, Church, Clarke, Cook, Crawford, Crysler, Daly, Desaulniers, Dionne, Attorney General Drummond, Ferres, Thomas Fortier, Octave C. Fortier, Fournier, Gamble, Gill, Guévremont, Hincks, Holton, Labelle, Langton, LeBoutillier, Lemieux,

Loranger, Lumsden, Macbeth, Sir A.N. MacNab, McCann, Masson, Matheson, Meagher, Joseph C. Morrison, Angus Morrison, O'Farrell, Powell, Roblin, Solicitor General Ross, James Ross, Solicitor General Smith, Sidney Smith, James Smith, Spence, Stevenson, Thibaudeau, Turcotte, and Whitney.--(54.)

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NAYS.

Messieurs Aikins, Bell, Biggar, Bourassa, Chauveau, Cook, Charles Daoust, Darche, DeWitt, Jean B.E. Dorion, Dufresne, Fergusson, Ferrie, Frazer, Freeman, Gould, Hartman, Huot, Jobin, Larwill, John S. Macdonald, Roderick McDonald, Marchildon, Merritt, Munro, Papin, Poulin, Prévost, Robinson, Rolph, Sanborn, Scatcherd, Terrill, Valois, and Wright.--(35.)

So it was resolved in the Affirmative.

Then the main Question, so amended, being put;

Ordered, That the said Order of the day be discharged; and the Bill recommitted to Committee of the whole House for the purpose of amending the same, this day three months.

A Bill to amend and extend the provisions of the Act 16 Vic. cap. 191, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to amend the Joint Stock Company Rivers Improvement Act, and to extend it to Lower Canada."

Ordered, That Mr. Holton do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to increase the Capital Stock of the City of Kingston Water Works Company, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Attorney General Macdonald do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to authorize the City of Hamilton to negotiate a Loan of Fifty thousand pounds, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Sir Allan N. MacNab do carry the Bill to the Legislative Council, and desire their concurrence.

Ordered, That the Bill further to amend the Act, intituled, "An Act for the management and relief of certain persons therein named, and others, and authorizing them to associate themselves by the name of 'The Quebec Benevolent Society', under certain restrictions, rules, and regulations therein mentioned," as reported from the Standing Committee on Miscellaneous Private Bills, be committed to a Committee of the whole House, for To-morrow.

Mr. Thomas Fortier reported the Bill to prevent the taking of Trout with Nets in the Lakes of the County of Saguenay; and the amendments were read, and agreed to.

Ordered, That the Bill be read the third time To-morrow.

The House, according to Order, again resolved itself into a Committee on the Bill to incorporate the Saint Francis Bank; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Dufresne reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. Dufresne reported the Bill accordingly; and the amendments were read.

The Honorable Mr. Cayley moved, seconded by Mr. Solicitor General Smith, and the

(980)

Question being proposed, That the said amendments be now read a second time;

((The)) Bank Bill having been passed through Committee with amendments assimilating it to the Eastern Townships Bank Charter,⁴

MR. TERRILL ... moved its re-reference to reduce the capital to 100,000L, to be paid up in five years.... ((He)) carried it against the leaders of both sides of the House.⁵

(980)

Mr. Terrill moved in amendment to the Question, seconded by Mr. Felton, That all the words after "That" to the end of the Question be left out, in order to add instead thereof the words "the Bill be recommitted for the purpose of amending the 2nd Clause, by reducing the Capital Stock to the sum of One hundred thousand pounds, currency, and so amending the 4th Clause as to provide for the payment of the whole Capital Stock within five years from and after the commencement of business, and in the proportions relative to the Capital Stock as in and by the said 4th Clause it is now provided;"

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Alleyn, Bellingham, Biggar, Bourassa, Brodeur, Bureau, Chauveau, Christie, Church, Cooke, Darche, Desaulniers, DeWitt, Dionne, Jean B.E. Dorion, Antoine A. Dorion, Dufresne, Felton, Ferres, Ferrie, Thomas Fortier, Octave C. Fortier, Frazer, Freeman, Gill, Guévremont, Hartman, Jobin, Labelle, Laporte, Loranger, Roderick McDonald, Marchildon, Masson, Meagher, Merritt, Mongenais, Angus Morrison, Papin, Poulin, Prévost, Rolph, Scatcherd, Shaw, Terrill, Thibaudeau, Turcotte, Valois, and Whitney.--(49.)

NAYS.

Messieurs Bell, Blanchet, Brown, Cauchon, Cayley, Chisholm, Fourmier, Holton, Larwill, Macbeth, Mackenzie, Sir A.N. MacNab, McCann, Joseph C. Morrison, Solicitor General Ross, Solicitor General Smith, and Spence.--(17.)

So it was resolved in the Affirmative.

MR. BROWN asked the Inspector General what course he intended to pursue under the circumstances.⁶

((A Voice.))--"Do you think they will resign?"⁷

MR. BROWN ... ((continued.)) Of course, ... it is not a matter involving the resignation of the Ministry, but it was an infringement upon the declared policy of the Government previously sanctioned and adopted by the House, and he would like to know whether Government intended to persist in that policy or grant the same advantages to other people as had been afforded to the member for Stanstead.⁸

MR. INSP. GEN. CAYLEY said the views of the Government were not changed respecting the general policy to be pursued, nor did he think the House desired such a change for the future. He regarded it rather as an act of favor or indulgence to the hon. member for Stanstead, who seemed to be a favorite with his fellow-members, to meet the circumstances of his peculiar case. He could not regard the vote just given in any other light, or change his policy in consequence. He believed an adherence to the policy necessary for the safety of the banking institutions of the Province.⁹

(980)

Then the main Question, so amended, being put;

Ordered, That the Bill be recommitted for the purpose of amending the 2nd Clause, by reducing the Capital Stock to the sum of One hundred thousand pounds, currency, and so amending the 4th Clause as to provide for the payment of the whole Capital Stock within five years from and after the commencement of business, and in the proportions relative to the Capital Stock as in and by the said 4th Clause it is now provided.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Dufresne reported, That the Committee had gone through the Bill, and made further amendments thereunto.

Ordered, That the Report be received on Monday next.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

Mr. Speaker,

The Legislative Council have passed the following Bills, without Amendment; viz:--

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Bill, intituled, "An Act to confirm certain Marriages solemnized by the late Reverend Alexander McWattie, and to provide for the proof thereof, and of other acts performed by him as a Minister of the Presbyterian Church:"

Bill, intituled, "An Act to incorporate the Canada Powder Company:"

Bill, intituled, "An Act to incorporate the Town of Paris, and to define the limits thereof:"

Bill, intituled, "An Act to incorporate the Congregation of the Catholics of Quebec speaking the English language:" And also,

The Legislative Council have passed a Bill, intituled, "An Act to enable Hypolite Dubord to obtain, as Assignee to George W. Livermore, a Patent for certain new and useful improvements in Machinery for making barrels and other casks," to which they desire the concurrence of this House.

And then he withdrew.

On motion of Mr. Casault, seconded by Mr. Solicitor General Smith,

Ordered, That the Bill from the Legislative Council, intituled, "An Act to enable Hypolite Dubord to obtain, as Assignee to George W. Livermore, a Patent for certain new and useful improvements in Machinery for making barrels and other casks," be now read for the first time.

The Bill was accordingly read the first time; and ordered to be read a second time on Monday next.

The Order of the day for the House in Committee on the Bill to authorize the County of Middlesex to negotiate a Loan of One hundred thousand pounds, to consolidate the County Debt, being read;

Ordered, That the said Order be discharged.

The Order of the day for the second reading of the Bill to incorporate the Hochelaga Dock Company, and for other purposes, being read;

Ordered, That the said Order be discharged.

Ordered, That the Bill be withdrawn.

The Order of the day for the second reading of the Bill to incorporate the Welland Canal Fire and Marine Insurance Company, being read;

Ordered, That the said Order be discharged.

Ordered, That the Bill be withdrawn.

The Order of the day for the second reading of the Bill to incorporate the St. Lawrence Assurance Company, being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

Ordered, That the 71st Rule of this House be suspended as regards the said Bill.

The Order of the day for the second reading of the Bill to incorporate the Communauté des Dames de la Providence of St. Hyacinthe, being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

The Order of the day for the second reading of the Bill to incorporate the Abbotsford Academy, being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

(982)

The Order of the day for the second reading of the Bill to incorporate the Benevolent Society of Notre Dame de Bonsecours, of Montreal, being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

The Order of the day for the second reading of the Bill to incorporate a Company to construct a Railway from Port Perry on Lake Scugog, to intersect the Ontario, Simcoe, and Huron Union Railway, at some point between Holland Landing and King, being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Railroads, Canals, and Telegraph Lines.

Ordered, That the 71st Rule of this House be suspended as regards the said Bill.

The Order of the day for the second reading of the Bill to amend an Act passed in the seventh year of Her Majesty's Reign, and intituled, "An Act to authorize the Mayor, Aldermen, and Citizens of Montreal, to purchase, acquire, and hold the property now known as the Montreal Water Works," and also, a certain other Act passed in the sixteenth year of Her Majesty's Reign, and intituled, "An Act to authorize the Mayor, Aldermen, and Citizens of the City of Montreal, to borrow a certain sum of money, and to erect therewith Water Works for the use of the said City, and to extend and amend the provisions of any Act relating thereto," being read;

Ordered, That the said Order be discharged.

Ordered, That the Bill be withdrawn.

DR. POULIN moved the second reading of the Bill to incorporate Les Soeurs de la Présentation.¹⁰

MR. BROWN said he was opposed to this bill as well as to all similar ones. He found also that it contained the objectionable property clause, the corporation being allowed to hold real estate yielding 500L per annum.¹¹

The second reading was carried on a division.¹²

(982)

The Order of the day for the second reading of the Bill to incorporate Les Soeurs de la Présentation, being read;

Mr. Poulin moved, seconded by Mr. Felton, and the Question being put, That the Bill be now read a second time; the House divided:--And it was resolved in the Affirmative.

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

MR. ALLEYN moved the second reading of the bill to incorporate the Asylum of the Good Shepherd of Quebec.¹³

MR. MACKENZIE opposed the bill. The Legislature were manufacturing these corporations by the gross, and he did not know what good they accomplished.¹⁴

((The second reading was)) carried on a division.¹⁵

(982)

The Order of the day for the second reading of the Bill to incorporate the Asylum of the Good Shepherd of Quebec, being read;

Mr. Alleyn moved, seconded by Mr. Pouliot, and the Question being put, That the Bill be now read the second time; the House divided:--And it was resolved in the Affirmative.

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

MR. ALLEYN moved the second reading of the bill to incorporate the Victoria Hospital of Quebec.¹⁶

MR. BROWN.--This is a Protestant Corporation, but the same principle applies. I think it a lamentable thing that such men as those whose names I find in this bill cannot in a matter of pure benevolence like this associate with their fellow citizens of all creeds, instead of determining to have a Protestant Hospital. (Hear, hear.) If the legislature is to build up and assist benevolent institutions, let them be such institutions as all classes of the population may benefit by. (Hear, hear.) I find in it also a clause allowing the corporation to hold 2000L a year of real estate.¹⁷

MR. ALLEYN.--The directors will be Protestants, but I do not know that the patients will necessarily be so. I admit, with the honorable member for Lambton,

that charity should be general and not bounded by sectarian feelings, but, if these gentlemen choose to put their hands into their own pockets and ask an act of incorporation, shall we refuse it? It would be desirable to have general institutions, but we must take people as we find them.¹⁸

MR. BROWN.--It is not what people ask us, but what we ought to do--that is the question. (Hear, hear.) It is on us that the responsibility rests, if we grant improper things. Do we not help directly to excite and keep alive those sectarian feelings by encouraging such institutions, and voting away the public money to sustain them? The moment they get their charter, the promoters of these schemes come to us for a grant out of the public chest. (Hear, hear.) It is a system for which we pay most extravagantly. Where two or three general institutions would be sufficient, by this system we have to support ten or twenty out of the public purse. The evil is increasing year by year, and will be perfectly ruinous before long. (Hear, hear.)¹⁹

MR. MACKENZIE.--The system is precisely as it has been described by the honorable member for Lambton, and its continuance only tends to keep up bad feelings between different sections of the population of this country. We meet here, Protestants and Catholics, on common ground, we transact business together without ever thinking of asking whether the man we deal with is a Protestant or a Catholic. But the moment a man gets sick, the first question must be, what is his religion, and, if he did not happen to have any, what was the religion of his father or his mother. If Catholic, he must go to the Catholic hospital, if Protestant, to the Protestant hospital, and then both parties come here with their begging boxes, when one institution might well enough serve the whole. We have a penitentiary, where the diseased in mind if not in body go. But we do not require a Catholic penitentiary and a Protestant penitentiary. Why, then, should you have sectarian hospitals and other institutions to divide the people into great classes hating each other for the love of God?²⁰

The motion was carried on a division.²¹

(982)

The Order of the day for the second reading of the Bill to incorporate the Victoria Hospital at Quebec, being read;

Mr. Alleyne moved, seconded by Mr. Bell, and the Question being put, That the Bill be now read a second time; the House divided:--And it was resolved in the Affirmative.

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

The Order of the day for the second reading of the Bill to amend the Act, intituled, "An Act to make more ample provision for the incorporation of the Town of St. Hyacinthe, and to extend its limits," being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

(983)

The Order of the day for the second reading of the Bill to transfer to the City of Montreal, all the property, rights and privileges heretofore enjoyed by the Wardens of the House of Industry of the City of Montreal, and for other purposes, being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

The Order of the day for the second reading of the Bill to amend the Act incorporating the Metropolitan Gas and Water Company in the City of Toronto, being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

The Order of the day for the second reading of the Bill to incorporate the St. Clair, Chatham, and Rondeau Railway Company, being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Railroads, Canals, and Telegraph Lines.

MR. WHITNEY moved the second reading of the bill to incorporate the Corresponding Committee of the Colonial Church and School Society at Montreal.²²

MR. BROWN opposed the bill, on the ground that it involved the recognition by this Legislature of sectarian education as a system. Let persons educate children as they choose, but let them not ask the Legislature to endorse their sectarian system.²³

The motion was carried on a division.²⁴

(983)

The Order of the day for the second reading of the Bill to incorporate the Corresponding Committee at Montreal of the Colonial Church and School Society, being read;

Mr. Whitney moved, seconded by Mr. Solicitor General Smith, and the Question being put, That the Bill be now read a second time; the House divided:--And it was resolved in the Affirmative.

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

The Order of the day for the second reading of the Bill to incorporate the Aylmer Academy, being read;

Mr. Cooke moved, seconded by Mr. McCann, and the Question being put, That the Bill be now read a second time; the House divided:--And it was resolved in the Affirmative.

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

The Order of the day for the second reading of the Bill to incorporate a Company for the purpose of erecting a Hotel in the Town of London, being read;

Ordered, That the said Order be discharged.

Ordered, That the Bill be withdrawn.

The House, according to Order, resolved itself into a Committee on the Bill to incorporate the Sherbrooke Literary Institute; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Alleyn reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time To-morrow.

The Order of the day for the second reading of the Bill to attach certain Lands in the Gore of Camden to the Township of Dawn, being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

Ordered, That the 71st Rule of this House be suspended as regards the said Bill.

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The House, according to Order, again resolved itself into a Committee on the Bill to amend and consolidate the provisions contained in the Ordinances to incorporate the City and Town of Quebec, and to vest more ample powers in the Corporation of the said City and Town; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. O'Farrell reported, That the Committee had made some progress, and directed him to move for leave to sit again.

Ordered, That the Committee have leave to sit again this day.

The House, according to Order, resolved itself into a Committee on the Bill to amend the Act of the present Session, intituled, "An Act to authorize the sale of certain Lands described as Lots numbers five and six in Division A, of the Township of Guelph, and the reinvestment of the proceeds for the object of the Trust," by substituting another Trustee in lieu of the Trustees nominated by the said Act; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Macbeth reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time To-morrow.

The Order of the day for the second reading of the Bill to amend the provisions of the several Acts for the Incorporation of the City of Montreal, being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

The House, according to Order, resolved itself into a Committee on the Bill to incorporate the Imperial Fire and Marine Insurance Company; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. James Smith reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. James Smith reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill be read the third time To-morrow.

The House, according to Order, resolved itself into a Committee on the Bill to incorporate the Niagara District Bank; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Terrill reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be received on Monday next.

The Order of the day for the second reading of the Bill to incorporate the Zimmerman Bank, being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

The House, according to Order, resolved itself into a Committee on the Bill to confer a Charter on the Millers' Association of Canada West, with Banking privileges; and after some time spent therein, Mr. Speaker resumed the Chair; and

Mr. Ferrie reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be received on Monday next.

The Order of the day for the House in Committee on the Bill to amend the Act to incorporate the Vaudreuil Railway Company, being read;

Mr. Bellingham moved, seconded by Mr. Rankin, and the Question being put, That the said Order be discharged, and the Bill referred to the Standing Committee on

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Railroads, Canals, and Telegraph Lines; the House divided:--And it passed in the Negative.

The House then resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair.

The Vaudreuil Railway Bill was lost in Committee of the Whole.... When the House got into Committee it decided to rise without reporting.²⁵

MR. BELLINGHAM complained that it had been passed through the Railroad Committee when he was absent after attending at the regular hour and finding no quorum, and he had tried twice to get the matter again referred to that Committee before going into Committee of the Whole. Both, however, were defeated²⁶.

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The House, according to Order, resolved itself into a Committee on the Bill to authorize William Fraser and Edouard Fraser to alienate, by Lots, a portion of the Domain of the Seignior of Rivière du Loup; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Chapais reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time To-morrow.

The House, according to Order, resolved itself into a Committee on the Bill to incorporate the Molsons Bank; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Bureau reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time Tomorrow.

The House, according to Order, resolved itself into a Committee on the Bill from the Legislative Council, intituled, "An Act to amend the Act incorporating the Montreal Telegraph Company;" and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Casault reported, That the Committee had gone through the Bill, and made an Amendment thereunto.

Ordered, That the Report be now received.

Mr. Casault reported the Bill accordingly; and the Amendment was read, as followeth:--

Add to the third Clause "Provided always that nothing herein contained shall authorize the said Company to purchase any parallel line of Telegraph or to exempt the said Company from any restrictions imposed upon Telegraph lines under any General Law of this Province."

The said Amendment, being read a second time, was agreed to.

Ordered, That the Bill, with the Amendment, be read the third time To-morrow.

The Order of the day for the second reading of the Bill to incorporate the St. Patrick's Orphan Asylum of Montreal, being read;

Mr. Holton moved, seconded by Mr. Antoine Aimé Dorion, and the Question being put, That the Bill be now read a second time; the House divided:--And it was resolved in the Affirmative.

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

The Order of the day for the second reading of the Bill from the Legislative Council, intituled, "An Act to incorporate the Quebec Masonic Hall Association," being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

Mr. Masson moved, seconded by Mr. Thibaudeau, and the Question being put, That this House do now adjourn; the House divided:--And it passed in the Negative.

The Order of the day for the second reading of the Bill to amend the Act to incorporate the Bytown and Prescott Railway Company, and to change the name thereof, being read;

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The Bill was accordingly read a second time; and referred to the Standing Committee on Railroads, Canals, and Telegraph Lines.

The Order of the day for the second reading of the Bill from the Legislative Council, intituled, "An Act to provide for an increase of the Capital Stock of the Quebec Gas Company," being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

The Order of the day for the second reading of the Bill to divide the Township of Norwich into two separate Municipalities, being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

The Order of the day for the second reading of the Bill to amend the Act incorporating the Quebec Fire Assurance Company, and to facilitate the management of the business of the said Company, being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

The House, according to Order, resolved itself into a Committee on the Bill from the Legislative Council, intituled, "An Act to prohibit Interments in certain Burial Grounds in the City of Quebec;" and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Thomas Fortier reported, That the Committee had gone through the Bill, and made Amendments thereunto.

Ordered, That the Report be now received.

Mr. Thomas Fortier reported the Bill accordingly; and the Amendments were read, as follow:--

Page 1, line 36. Leave out "not to be lawful to enter" and insert "be lawful for the Corporation of the City of Quebec to prohibit the interment of."

Page 1, line 46. Add to the third Clause "Provided always, that before the said interments shall cease within the Wesleyan Cemetery, in D'Artigny Street, and the English Burial Ground in St. John Street aforesaid, the Corporation of the City of Quebec shall be bound to indemnify the Owners, Trustees, or other Representatives of the Ground so prohibited, in a reasonable sum to compensate for their loss of property,--the same to be ascertained by Experts to be chosen one by each party,--the said Experts having the right to appoint an Umpire; and in case the said Experts do not agree for the appointment of such Umpire, the same shall be named by one of the Judges of the Superior Court for Lower Canada."

The said Amendments, being read a second time, were agreed to.

Ordered, That the Bill, with the Amendments, be read the third time To-morrow.

The House, according to Order, resolved itself into a Committee on the Bill to confirm the Patent for Lot No. 4, Broken Concessions A and B, of the Township of Hamilton; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Church reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time To-morrow.

The House, according to Order, resolved itself into a Committee on the Bill to make certain alterations in the Deed of Trust of the First Coloured Calvinist Baptist Church of Toronto; and after some time spent therein, Mr. Speaker resumed the Chair.²⁷

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The House, according to Order, resolved itself into a Committee on the Bill to incorporate the Canada Ore Dressing Company; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Clarke reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. Clarke reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill be read the third time To-morrow.

The House, according to Order, resolved itself into a Committee on the Bill further to amend the Act of Incorporation of the British North American Electric Telegraph Association to enable the said Association to construct Branch lines and to subscribe for Stock in other Electric Telegraph Associations; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Turcotte reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time To-morrow.

The House, according to Order, resolved itself into a Committee on the Bill to enable the Trustees of the Toronto General Burying Ground to close the same, to sell a portion thereof, and to acquire other ground for the purposes of the Trust; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Holton reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. Holton reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill be read the third time To-morrow.

The Order of the day for the second reading of the Bill to authorize the Municipal Council of the County of Welland to raise means to liquidate certain debts and claims against the said County, and for other purposes, being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

Ordered, That the 71st Rule of this House be suspended as regards the said Bill.

The House, according to Order, resolved itself into a Committee on the Bill to amend the Act incorporating the Hamilton and Toronto Railway Company; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Papin reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time To-morrow.

The House, according to Order, resolved itself into a Committee on the Bill to remove doubts as to the power of the Ontario, Simcoe and Lake Huron Union Railroad Company constructing a Branch line into the Town of Barrie; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Chisholm reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time To-morrow.

The House, according to Order, proceeded to take into consideration the Amendments made by the Legislative Council to the Bill, intituled, "An Act to amend so much of any Law in force in Lower Canada as authorizes the sale of any property by

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the authority of Justice on Sundays;" and the same were read, as follow:--

Page 1, line 11. Leave out from "same" to "that" in line 12.

Page 1, line 12. Leave out from "that" to "the" where it occurs the second time, and insert "so much of."

Page 1, line 16. Leave out from "Sundays" to "that" in line 17, and insert "as provides."

Page 1, line 17. Leave out "present" and insert "said."

Page 1, line 21. Leave out from "interdicted" to "shall" in line 23.

Page 1, line 23. Leave out from "the" to "is" and insert "same."

Page 1, line 24. Leave out from "repealed" to "and" in line 25.

Page 1, line 29. Leave out from "effect" to the end of the Bill.

The said Amendments, being read a second time, were agreed to.

Ordered, That Mr. DeWitt do carry back the Bill to the Legislative Council, and acquaint their Honors, that this House hath agreed to their Amendments.

Sur motion de MR. CAMERON,²⁸

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Ordered, That the 71st Rule of this House be suspended as regards the Bill to incorporate the Zimmerman Bank.

Then, on motion of the Honorable John Sandfield Macdonald, seconded by Mr. Holton,

The House adjourned.

FOOTNOTES: 3 MAY 1855.

1. LA MINERVE, 12 May 1855.
2. IBID.
3. A commentary in LE PAYS, 16 May 1855, provides details concerning the Bill to confirm the amalgamation of the Montreal and New York Railroad with the Champlain and St. Lawrence Railroad. It reads as follows: "Un autre bill de chemin de fer, qui a eu le sort des roses, est celui qui tendait à confirmer l'amalgamation entre la compagnie du Champlain et celle de Montréal et New-York. On sait que tous les habitants du Sud de Montréal étaient opposés à la fusion de ces deux chemins de fer, et M. Bureau présenta de nombreuses pétitions réclamant contre cette fusion. Dans le comité des chemins de fer, il défendit avec énergie les intérêts des habitants du Sud, et il parvint à faire retrancher les clauses qui avaient rapport à cette fusion. En conséquence le bill relatif à la compagnie du chemin de fer de Montréal à New-York a été retiré, et celui de la compagnie du Champlain n'a maintenant rapport qu'à la régie de ses affaires. Cette fusion de deux compagnies aurait eu pour effet de priver les habitants du Sud de leur chemin de fer, et ils auront à remercier M. Bureau pour sa considération."
4. MONTREAL GAZETTE, 9 May 1855.
5. IBID.
6. IBID.
7. IBID.
8. IBID.
9. IBID.
10. GLOBE, 16 May 1855.
11. IBID.
12. IBID.
13. IBID.
14. IBID.
15. IBID.
16. IBID.
17. IBID.
18. IBID.
19. IBID.
20. IBID.
21. IBID.
22. IBID.
23. IBID.
24. IBID.
25. MONTREAL GAZETTE, 9 May 1855.
26. MONTREAL GAZETTE, 9 May 1855. This newspaper further comments that the disavowal of the bill in Committee of the Whole "puts an end to any present progress with that road, and its competition with the Montreal and Bytown Company." LE PAYS, 16 May 1855, in its commentary, provides a similar view, but attributes the responsibility of the bill to Mr. Mongenais. LE PAYS, 16 May 1855, reads as follows: "Le bill pour l'acte d'incorporation du chemin de fer de Vaudreuil, conduit par M. Mongenais ... est allé piteusement mourir dans un comité général.... L'animus de ce chemin de fer, comme dirait M. Cauchon, était de faire compétition au chemin de Bytown, et ensuite de s'embrancher avec le Grand Tronc pour tuer plus sûrement celui de Bytown. La mémoire du Grand Tronc était encore toute chaude dans l'esprit des membres, et

les 'gens du Nord,' comme on désigne ici les partisans du chemin de fer du Nord qui ne voulaient pas voter pour les 900,000L sans avoir la promesse de 500,000L de garantie, ou de 3 millions d'arpens de terres pour leur chemin, ... croyant que ce chemin de Vaudreuil devait aussi faire tort à leur chemin, s'allièrent aux adversaires du bill, malgré les éloquentes paroles de M. Cartier, et le comité se leva sans faire rapport et sans demander permission de siéger de nouveau,--ce qui fait que ce pauvre bill est bien mort et enterré.

"M. Mongenais était furieux contre ses amis et ennemis. Il fut lâchement abandonné par les seigneurs du ministère; excepté M. Cartier".

27. TORONTO DAILY LEADER, 5 May 1855, reports "the Colored Baptist Church, Toronto Bill ... ((was)) lost in Committee." The fate of this bill appears similar to the Vaudreuil Railway bill reported in footnote 26.
28. LA MINERVE, 12 May 1855.

FRIDAY, 4 MAY 1855.

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THE following Petitions were severally brought up, and laid on the table:--

By Mr. Hartman,--The Petition of Edward Bull and others, of the United Counties of York and Peel.

By Mr. Aikins,--The Petition of T. Swinnarton and others, of the United Counties of York and Peel.

By Mr. Whitney,--The Petition of M. Townsend and others, of the Seigniories of Noyan and Foucault.

By Mr. Foley,--The Petition of William McMachon and others, Bailiffs of the County of Waterloo; and the Petition of John Zoeger and others, of the Township of Wellesley.

By Mr. Gill,--The Petition of the Reverend J. Boucher, Curé, and others, School Commissioners for the Parish of St. David.

By Mr. Mackenzie,--The Petition of James W. Campbell and others, of the Counties of Lincoln and Welland; and the Petition of William C. Osman and others, Bailiffs for the County of Haldimand.

Pursuant to the Order of the day, the following Petitions were read:--

Of David Allan and others, of the County of Perth; praying that the discretionary power of commutation may not be exercised in carrying out the provisions of the Clergy Reserves Act.

Of H. Dubord, Esquire, of the City of Quebec; representing that he is the assignee of a certain Invention of George W. Livermore, of the United States of America, and praying for the passing of an Act authorizing the Governor General of this Province to grant him a Patent for the same.

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Of B. Paul, Reeve, and others, of the Township of Kinloss; praying aid for a Road.

Of C. Blanchet and others, of the Parish of St. François, County of Beauce, and other places; praying for an aid to re-build the Bridge over the River Chaudière, in the said Parish.

On motion of Mr. Chisholm, seconded by Mr. Aikins,

Ordered, That the Petition of William Spragge be now received and read, and the Rules of this House suspended as regards the same.

And the said Petition was received and read; setting forth: That the Petitioner is the owner of 265 Acres of what formed a part of the Indian Reserve, situated on the River Credit, which land he purchased at a very considerable cost, on account of the property possessing valuable Mill sites, upon which he has had in view the erection of Mills: That the said River is navigable for propellers and large schooners to within about three-quarters of a mile of the said property, the water privileges upon which are the lowest down upon the River, with the exception of the Indian Mill, and the Petitioner has always regarded the advantage of transport to and from Mills upon his property, by means of the navigation of the River, as of high importance: That the Petitioner learns with alarm, that a Bill is now before the House, authorizing the Toronto and Hamilton Railway Company to erect a permanent Bridge across the said River Credit, and thereby stop the navigation thereof, which, if carried into effect, would both prevent the forwarding by water, Wheat and Flour, Lumber, and other heavy articles, as contemplated, and materially lessen the value

of his property: That no Notice having been given of any such application to Parliament as required by the Rules of the House, as early opportunity was not afforded for taking suitable action in reference thereto; and praying that the Petitioner's rights may be protected, and that the application of the said Railway Company may either be refused, or that the Company may be required to carry their Bridge across the River above the Indian Pond, where the stream ceases to be navigable.

Ordered, That the Petition of James Cotton, of the City of Toronto, be now received and read, and the Rules of this House suspended as regards the same.

And the said Petition was received and read; setting forth: That the Petitioner is the owner of the land on both sides of the Credit River extending from the mouth of the said River to one mile above the head of navigation, a distance of two miles and a half from Lake Ontario: That the Railway constructed by the Hamilton and Toronto Railway Company crosses the said River about a quarter of a mile from the Piers of the Harbour and half that distance above the travelled Lake Shore Road: That the Petitioner is the owner of a very valuable Mill privilege situated above the Railroad Track, which privilege adds materially to the value of the landed property owned by him: That the Bridge contemplated to be built by the Hamilton and Toronto Railway Company is calculated to destroy that Mill privilege, and otherwise deteriorate the value of the property situated above the Railroad: That for the purpose of ascertaining the damage to be done to the Petitioner by the said Company, he consented to an arbitration with the said Company, which arbitration took place, and a sum of money was awarded to the Petitioner as a compensation, which sum the said Company have not paid and now refuse to pay in accordance with the award, unless, as they say, they get the Bill passed which is now before the House: That the Notice given by the said Company in accordance to the Rule of the House, was, that they intended to apply for an amendment to their Charter, and their Petition presented to the House prays that they might be authorized to erect a permanent Bridge over the River Humber; but the Petitioner learns with considerable alarm that the Bill which has passed a second reading by the House authorizes the said Company to erect a permanent Bridge over the River Humber, or across any other River over

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which the said Railway may be carried, which power if granted by the House, is, in the opinion of the Petitioner, calculated to prevent the Petitioner from obtaining a fair indemnification for the injury his property will sustain by the works of the said Company, and be a dangerous interference with the right of property which no Company ought to possess; and praying that the House will not pass the said Law as prayed for.

The Honorable Mr. Cameron, from the Standing Committee on Miscellaneous Private Bills, presented to the House the Thirty-sixth Report of the said Committee; which was read, as followeth:--

Your Committee have examined the following Bills, and have prepared amendments to each, which they beg to submit for the consideration of Your Honorable House, viz.:--

Bill to incorporate the Benevolent Society of Notre Dame de Bonsecours of Montreal.

Bill to amend the provisions of the several Acts for the incorporation of the City of Montreal:

The following Bills have also been considered by Your Committee, and they have agreed to report the same without amendment, viz:--

Bill to confirm the City of Toronto in the possession of the Peninsula and Marsh now held by it under licence:

Bill to incorporate the Zimmerman Bank:

Bill to incorporate the Corresponding Committee at Montreal of the Colonial Church and School Society:

Bill to transfer to the City of Montreal all the property, rights and privileges heretofore enjoyed by the Wardens of the House of Industry in the City of Montreal, and for other purposes.

Your Committee have had under their consideration the Bill to incorporate the Western Canada Loan Company, and they are of opinion, that the Preamble has not been proved.

On the motion of MR. CAMERON,¹

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Ordered, That the Bill to incorporate the Zimmerman Bank, be committed to Committee of the whole House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Shaw reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time on Monday next.

Ordered, That the Honorable Mr. Cauchon have leave to bring in a Bill to facilitate the improvement of the Quebec Turnpike Roads.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Wednesday next.

Ordered, That the Honorable Mr. Cauchon have leave to bring in a Bill to connect the Office of Supervisor of Cullers with the Crown Lands Department.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Wednesday next.

Ordered, That the Bill to transfer to the City of Montreal all the property, rights and privileges heretofore enjoyed by the Wardens of the House of Industry in

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the City of Montreal, and for other purposes, be committed to a Committee of the whole House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Papin reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time on Monday next.

MR. AT. GEN. J.A. MACDONALD moved, That the 62nd Rule of the House be suspended in relation to the Bill from the Legislative Council, intituled, "An Act to authorize the Grand Trunk Railway Company of Canada to change the location of their line in and near the City of Toronto."²

MR. BROWN hoped the Attorney General would not proceed with this in the absence of the member for Toronto (Mr. Cameron) who had been in communication with his constituents on the subject. The other member for Toronto (Mr. Bowes) was in his place. Did he give his consent to this motion.³

MR. BOWES said that the City of Toronto would never consent to a change of the location of the line, but if agreeing to this motion was not affirming the principle of the Bill he would not oppose it.⁴

MR. AT. GEN. J.A. MACDONALD.--There is no principle involved in this motion. It is simply to facilitate the progress of the Bill to allow it to go before the Railway Committee.⁵

MR. CAMERON, having just entered the House, said he could not agree to the motion, the effect of which was to dispense with the usual notices. He held a telegraph in his hand from the Mayor of Toronto, stating that the Council had petitioned against the Bill, and that their petition had been sent down by mail. He did not know but the Bill might be opposed in the petition, on the ground of these very notices.⁶

MR. HINCKS hoped the House would carry the motion for suspending the rules, especially as the want of notice entirely arose from the act of the City of Toronto itself in depriving the Grand Trunk the right of way, which it had forme((r))ly agreed to give them. The Bill, we conceived, was absolutely necessary to prevent the connection at Toronto being broken in toto.⁷

The motion of the Attorney General was carried⁸.

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The Honorable Mr. Attorney General Macdonald moved, seconded by Mr. Solicitor General Smith, and the Question being put, That the 62nd Rule of this House be suspended as regards the Bill from the Legislative Council, intituled, "An Act to authorize the Grand Trunk Railway Company of Canada to change the location of their line in and near the City of Toronto;" the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Alleyn, Bell, Bellingham, Biggar, Blanchet, Brodeur, Cartier, Cauchon, Cayley, Chabot, Chapais, Chisholm, Clarke, Cooke, Cook, Crysler, Jean B. Daoust, Antoine A. Dorion, Attorney General Drummond, Dufresne, Felton, Fergusson, Ferres, Foley, Thomas Fortier, Octave C. Fortier, Fournier, Hincks, Jackson, Labelle, Langton, Lemieux, John S. Macdonald, Attorney General Macdonald, Sir A.N. MacNab, McCann, Matheson, Meagher, Merritt, Mongenais, Joseph C. Morrison, Angus Morrison, Munro, O'Farrell, Patrick, Poulin, Roblin, Solicitor General Ross, James Ross, Shaw, Solicitor General Smith, Sidney Smith, James Smith, Somerville, Spence, and Whitney.--(56.)

NAYS.

Messieurs Aikins, Bourassa, Bowes, Brown, Cameron, Darche, DeWitt, Jean B.L. Dorion, Freeman, Gamble, Hartman, Jobin, Lumsden, Marchildon, Papin, Powell, Prevost, Robinson, Rolph, Sanborn, Scalcherd, Valois, and Wright.--(23.)

So it was resolved in the Affirmative.

Ordered, That the Bill to confirm the City of Toronto in the possession of the Peninsula and Marsh now held by it under licence, be committed to a Committee of the whole House, for Monday next.

Mr. Jobin, from the Standing Committee on Contingencies, presented to the House the Fourteenth Report of the said Committee; which was read, as followeth:--

The attention of Your Committee has been drawn to the nature and amount of work to be performed in the Department of the French Translators. The vast amount of labor yearly increasing, especially since the augmentation of the Representation, consisting of Bills and Documents of all kinds, Reports of Committees on Railroads, Agriculture, Education,--the Journal of Your Honorable House, together with the daily routine, requires, in the opinion of Your Committee, such an organization and

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arrangement in the division of the work to be performed in said Department, as will facilitate and ensure a more correct and systematic result than at present exists.

In considering the plan best adapted to secure the end desired, Your Committee recommend the following for the adoption of Your Honorable House:--

Mr. G. Levesque, the French Translator, to be French Translator of the Laws.

Mr. A.G. Lafoie, Assistant do do do.

Mr. D.P. Myrand, French Translator of Documents.

Mr. E.P. Dorion, Assistant do do.

Mr. Wm. Fanning, to be French Translator of the Journal and Routine business.

The legal, literary, and technical knowledge necessarily required for the correct discharge of the duties of this Department, have moved the Committee to recommend that an addition of Fifty pounds per annum, be made to the present Salaries of Messieurs Myrand, Lafoie, and Fanning, and that Mr. Dorion, a very efficient person, be placed upon a permanent Salary of Two hundred and fifty pounds per annum.

The order for the keeping of the receipts and disbursements connected with the Contingent Expenses of Your Honorable House, by double entry, and the enlarged amount of entries and other work connected with the Accountant's Office, requires, by the representation of the Accountant, some one understanding the proper keeping of the books of account, and otherwise assisting him in the duties of his office. Your Committee, therefore, recommend that Mr. Charles Langevin, every way qualified, and who has to the present kept the said books, be transferred from the Department of the Chief Office Clerk, to that of the Accountant, and be designated "Assistant Accountant."

The Petitions of William P. Patrick, Chief Office Clerk, and of William Ross, Deputy Assistant Clerk, referred to Your Committee by Your Honorable House, praying for an increase to their present Salaries, have been considered; and Your Committee recommend that the respective Salaries of those Officers be increased to the amount of Fifty pounds per annum.

Your Committee also recommend from the increasing responsibility and risk attending the duties of the Accountant, that his salary be increased Fifty pounds per annum; and also, that the Salary of Mr. Spink, Clerk of Routine and Records, be increased Fifty pounds; and that the Salary affixed to Mr. Dorion, and also the several increases herein mentioned, take effect from the 1st January last.

Your Committee recommend that the sum of Twenty-five pounds be added to the present Salary of Mr. R. Defries, the Postmaster; also, that the sum of Ten pounds be allowed to E. Storr, one of the Messengers, he having remained in Quebec during the adjournment, under the expectation of being employed by the Serjeant-at-Arms.

Your Committee have had applications made to them by several of the Messengers, for travelling expenses and permanent employment; but from the nature of their duties, and the present staff of permanent Messengers, they could not entertain the prayer of their Petitions; and Your Committee recommend the concurrence of Your Honorable House to the following:--That to prevent the continual application of the Messengers of the House, for pensions, travelling expenses, and other demands, the engagement of all the Sessional Messengers do terminate at the end of such Session; and that they be hereafter employed, or not, at the option of the Serjeant-at-Arms, under the direction of the Speaker, without having any claim whatever on the House for indemnification.

The Petition of Mrs. McIntosh of Cornwall, representing that her late husband died by reason of injury received while serving as a Militiaman during the Rebellion

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of 1838, whereby she and her family have been left destitute, and praying relief, has received the consideration of Your Committee, and they are of opinion, that it is a subject that should not have been referred to them.

Ordered, That the said Report be printed for the use of the Members of this House.

Mr. Jobin moved, seconded by Mr. Valois, and the Question being put, That the said Report be taken into consideration on Monday next, and be then the first Order of the day; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Aikins, Bell, Biggar, Bourassa, Bowes, Brodeur, Brown, Cartier, Cauchon, Cayley, Chabot, Chapais, Chisholm, Cooke, Cook, Crysler, Jean B. Daoust, Darche, Desaulniers, DeWitt, Dionne, Jean B.E. Dorion, Antoine A. Dorion, Dostaler, Attorney General Drummond, Dufresne, Felton, Fergusson, Foley, Thomas Fortier, Octave C. Fortier, Fournier, Galt, Gill, Gould, Guévremont, Hartman, Holton, Huot, Jobin, Labelle, Laberge, LeBoutillier, Lemieux, Loranger, Lumsden, John S. Macdonald, Attorney General Macdonald, Mackenzie, Sir A.N. MacNab, McCann, Marchildon, Matheson, Meagher, Angus Morrison, O'Farrell, Papin, Poulin, Prévost, Rolph, James Ross, Scatcherd, Shaw, Solicitor General Smith, Spence, Thibaudeau, Valois, and Wright.--(68.)

NAYS.

Messieurs Alleyn, Bellingham, Blanchet, Cameron, Clarke, Ferres, Freeman, Gamble, Hincks, Langton, Macbeth, Mongenais, Joseph C. Morrison, Munro, Patrick, Powell, Robinson, Sanborn, Sidney Smith, James Smith, Somerville, Stevenson, and Whitney.--(23.)

So it was resolved in the Affirmative.

Ordered, That the Bill to incorporate the Corresponding Committee at Montreal of the Colonial Church and School Society, be committed to a Committee of the whole House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Bellingham reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time on Monday next.

On motion of MR. INSP. GEN. CAYLEY,⁹

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Ordered, That the Message of His Excellency the Governor General transmitting to this House the Estimates of the sums required for the service of the year 1855, together with the said Estimates, be referred to the Committee of Supply.

Mr. Casault moved, seconded by Mr. Laberge, and the Question being put, That the Bill to amend the Act for the encouragement of Building Societies in Lower Canada,

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be committed to a Committee of the whole House; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Alleyn, Bell, Bellingham, Biggar, Blanchet, Bourassa, Bowes, Brodeur, Cameron, Cartier, Casault, Cauchon, Cayley, Chabot, Chapais, Clarke, Cooke, Cook, Crysler, Jean B. Daoust, Desaulniers, DeWitt, Dionne, Dostaler, Dufresne, Felton, Fergusson, Ferres, Ferrie, Foley, Thomas Fortier, Octave C. Fortier, Fournier, Gamble, Gill, Guévremont, Hincks, Holton, Huot, Jackson, Labelle, Laberge, LeBoutillier, Lemieux, Loranger, Macbeth, Attorney General Macdonald, McCann, Nasson, Matheson, Meagher, Joseph C. Morrison, Angus Morrison, O'Farrell, Patrick, Poulin, Powell, Prévost, Rhodes, Robinson, Roblin, James Ross, Sanborn, Scatcherd, Shaw, Solicitor General Smith, James Smith, Somerville, Spence, Stevenson, Thibaudeau, Turcotte, Valois, and Whitney.--(74.)

NAYS.

Messieurs Brown, Darche, Jean B.E. Dorion, Freeman, Gould, Hartman, Jobin, Lumsden, John S. Macdonald, Mackenzie, Mongenais, Papin, Rolph, Sidney Smith, and Wright.--(15.)

So it was resolved in the Affirmative.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Laberge reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time on Monday next.

On motion of the Honorable Sir Allan N. MacNab, seconded by Mr. Solicitor General Smith,

Ordered, That the Orders of the day be now read.

And the Order of the day for taking into further consideration the Bill to amend the Acts relating to Land Surveyors, being read;

The House proceeded accordingly to take the said Bill into further consideration.

Sur motion de MR. SANBORN,¹⁰

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A Clause (The provisions contained in the thirty-first Section of the herein first cited Act, as well as those contained in the eighth Section of this Act, shall

extend to and apply as well to the lands held in free and common soccage in the Townships of Lower Canada, as to lands in Upper Canada, and the powers in said Sections conferred upon District, Township, City, Town, and Village Councils, for carrying out the purposes of said Sections in Upper Canada, shall be vested in, and exercised by, Township, Parish, Town, and Village Councils in Lower Canada, as the case may be, within which the lands to which such provisions apply may be situated, and the expenses of any survey made under the provisions of said Sections shall be paid by the Secretary-Treasurer of the Township, Parish, Town, or Village Council within which such survey is made, upon the certificate and order of the Commissioner

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of Crown Lands,) was thrice read; and added to the Bill.

Resolved, That the Bill do pass.

Ordered, That Mr. Solicitor General Smith do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to confirm the present boundaries of certain Lots in the Township of Winchester, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Solicitor General Smith do carry the Bill to the Legislative Council, and desire their concurrence.

The Order of the day for the third reading of the Bill to amend the Act incorporating the Champlain and St. Lawrence Railroad Company, and for other purposes, being read;

Ordered, That the Bill be read the third time on Monday next.

A Bill to prevent the taking of Trout with Nets in the Lakes of the County of Saguenay, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Casault do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to incorporate the Sherbrooke Literary Institute, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to incorporate the Literary Institute of Sherbrooke."

Ordered, That Mr. Felton do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to amend the Act of the present Session, intituled, "An Act to authorize the sale of certain Lands described as Lots numbers five and six in Division A, of the Township of Guelph, and the re-investment of the proceeds for the object of the Trust," by substituting another Trustee in lieu of the Trustees nominated by the said Act, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to amend the Act of the present Session, intituled, 'An Act to authorize the sale of certain Lands, described as Lots numbers five and six in Division A, of the Township of Guelph, and the re-investment of the proceeds for the object of the Trust,' by substituting other Trustees in lieu of the Trustees nominated by the said Act."

Ordered, That Mr. Clarke do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to incorporate the Imperial Fire and Marine Insurance Company, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to incorporate the Imperial Fire, Marine, and Life Insurance Company."

Ordered, That Mr. Patrick do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to authorize William Fraser and Edouard Fraser to alienate, by Lots, a portion of the Domain of the Seigniorship of Rivière du Loup, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to authorize William

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Fraser and Edouard Fraser to sell in Lots part of the Domain of the Seigniorship of Rivière du Loup."

Ordered, That Mr. Casault do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to incorporate the Molsons Bank, was, according to Order, read the third time.

Mr. Holton moved, seconded by Mr. Bourassa, and the Question being put, That the Bill do pass, and the Title be, "An Act to incorporate the Molsons Bank;" the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Aikins, Alleyn, Bell, Bellingham, Biggar, Blanchet, Bourassa, Bowes, Brodeur, Brown, Burton, Cameron, Cartier, Cauchon, Cayley, Chabot, Chapais, Chauveau, Church, Clarke, Cook, Crysler, Daly, Jean B. Daoust, Darche, Desaulniers, DeWitt, Jean B.E. Dorion, Antoine A. Dorion, Dostaler, Dufresne, Felton, Fergusson, Ferres, Ferrie, Foley, Thomas Fortier, Octave C. Fortier, Fournier, Galt, Gamble, Gill, Gould, Guévremont, Hartman, Hincks, Holton, Jackson, Jobin, Labelle, Langton, Lemieux, Lumsden, Macbeth, John S. Macdonald, Attorney General Macdonald, Sir A.N. MacNab, McCann, Marchildon, Masson, Matheson, Meagher, Merritt, Joseph C. Morrison, Angus Morrison, Munro, Murney, O'Farrell, Papin, Patrick, Powell, Prévost, Rhodes, Robinson, Roblin, Solicitor General Ross, Shaw, Solicitor General Smith, Sidney Smith, James Smith, Somerville, Spence, Stevenson, Thibaudeau, Turcotte, Valois, Whitney, and Wright.--(88.)

NAY.

Monsieur Mackenzie.--(1.)

So it was resolved in the Affirmative.

Ordered, That Mr. Holton do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill from the Legislative Council, intituled, "An Act to amend the Act incorporating the Montreal Telegraph Company," was, according to Order, read the third time.

Resolved, That the Bill, with the Amendment, do pass.

Ordered, That Mr. Holton do carry back the Bill to the Legislative Council, and acquaint their Honors, that this House hath passed the same with an Amendment, to which they desire their concurrence.

A Bill from the Legislative Council, intituled, "An Act to prohibit Interments in certain Burial Grounds in the City of Quebec," was, according to Order, read the third time.

Resolved, That the Bill, with the Amendments, do pass.

Ordered, That Mr. Alley do carry back the Bill to the Legislative Council, and acquaint their Honors, that this House hath passed the same with several Amendments, to which they desire their concurrence.

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A Bill to confirm the Patent for Lot No. 4, Broken Concessions A and B, of the Township of Hamilton, was, according to Order, read the third time; and an Amendment made thereunto, by leaving out the words "in consequence of such defect" in the Proviso at the end of the first Clause.

Resolved, That the Bill do pass, and the Title be, "An Act to remedy defects in the Patent Deed for Lot No. 4, in the Broken Concession B, and the front part of Lot No. 4, in the Broken Concession A, of the Township of Hamilton, in the County of Northumberland."

Ordered, That Mr. Sidney Smith do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to incorporate the Canada Ore Dressing Company, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Robinson do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill further to amend the Act of Incorporation of the British North American Electric Telegraph Association to enable the said Association to construct Branch lines, and to subscribe for Stock in other Electric Telegraph Companies, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Alley do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to enable the Trustees of the Toronto General Burying Ground to close the same, to sell a portion thereof, and to acquire other ground for the purposes of the Trust, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Mackenzie do carry the Bill to the Legislative Council, and desire their concurrence.

The Order of the day for the third reading of the Bill to amend the Act incorporating the Hamilton and Toronto Railway Company, being read;

The Honorable Mr. Cameron moved, seconded by Mr. Gamble, and the Question being proposed, That the Bill be now read the third time;

Mr. Chisholm moved in amendment to the Question, seconded by Mr. Aikins, That the words "now read the third time" be left out, and the words "amended by leaving out the second Proviso of the 1st Clause, and inserting the words Provided always, that the said Company shall be liable for all damages which the obstruction of either the River Credit or River Humber by a permanent bridge may occasion to private property, in the same manner and to the same extent as if this Act had not been passed" instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Aikins, Biggar, Bourassa, Chisholm, Christie, Church, Clarke, Jean B.E. Dorion, Jobin, Mackenzie, Papin, Prévost, and Valois.--(13.)

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NAYS.

Messieurs Alleyn, Bell, Bellingham, Blanchet, Brodeur, Brown, Cameron, Casault, Cayley, Chabot, Chapais, Cooke, Jean B. Daoust, Desaulniers, Dionne, Hostaler, Dufresne, Ferres, Ferrie, Foley, Thomas Fortier, Octave C. Fortier, Fournier, Gamble, Gill, Hartman, Lemieux, John S. Macdonald, Attorney General Macdonald, Sir A.N. MacNab, McCann, Marchildon, Mattice, Mongenais, Joseph C. Morrison, Munro, O'Farrell, Patrick, Rhodes, Robinson, Rolph, Solicitor General Smith, Sidney Smith, James Smith, Spence, Thibaudeau, Turcotte, Whitney, and Wright.--(49.)

So it passed in the Negative.

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And the Question being again proposed, That the Bill be now read the third time;

Mr. Chisholm moved in amendment to the Question, seconded by Mr. Jobin, That the words "now read the third time" be left out, and the words "amended by adding the following Proviso to the 1st Clause: 'Provided always, that the said Company shall not have power to erect a permanent bridge over either the River Credit or River Humber, until the Municipal Council of the United Counties of York and Peel shall have passed a By-Law authorizing them so to do, and any such bridge shall be built in such manner as may be provided by such By-Law' " instead thereof;

And the Question being put on the Amendment; the House divided:--And it passed in the Negative.

And the Question being again proposed, That the Bill be now read the third time;

Mr. Chisholm moved in amendment to the Question, seconded by Mr. Poulin, That the word "now" be left out, and the words "this day six months" added at the end thereof;

And the Question being put on the Amendment; the House divided:--And it passed in the Negative.

Then the main Question being put;

Ordered, That the Bill be now read the third time.

The Bill was accordingly read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Cameron do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to remove doubts as to the power of the Ontario, Simcoe, and Lake Huron Union Railroad Company constructing a Branch line into the Town of Barrie, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Angus Morrison do carry the Bill to the Legislative Council, and desire their concurrence.

The Honorable Mr. Cartier presented, pursuant to an Address to His Excellency the Governor General,--Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated 28th March, 1855, praying His Excellency to

cause to be laid before the House, a Return of the names of all persons who have been appointed to any office of honor or emolument in Canada since this day twelve months, (exclusive of Post Masters whose incomes are under twenty pounds,) shewing the dates of their respective appointments, whether the appointment is temporary or permanent, the salary or fees in each case, and so as to exhibit the actual income so far as it is known to the Government; also, the ... name of each office, and the

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Statute, Order in Council, or other authority under which such officer or incumbent was appointed.

For the said Return, see Appendix (S.S.S.)

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

Mr. Speaker,

The Legislative Council have passed the Bill, intituled, "An Act to extend and continue the Act, intituled, 'An Act to provide for the accommodation of the Courts of Superior Jurisdiction in Upper Canada,' and for other purpose," without any Amendment: And also,

The Legislative Council have passed the Bill, intituled, "An Act to amend the Parliamentary Representation Act of 1853," with an Amendment, to which they desire the concurrence of this House: And also,

The Legislative Council have passed the Bill, intituled, "An Act to amend and consolidate the Acts relating to the appointment of Reporters to the several Courts of Law and Equity in Upper Canada, and to repeal certain Acts therein mentioned," with several Amendments, to which they desire the concurrence of this House: And also,

The Legislative Council have passed a Bill, intituled, "An Act to facilitate Private Settlements between Insolvent Debtors and their Creditors," to which they desire the concurrence of this House: And also,

The Legislative Council have passed a Bill, intituled, "An Act to amend the Act relating to British Plantation Vessels, passed in the eighth year of Her Majesty's Reign," to which they desire the concurrence of this House.

And then he withdrew.

On motion of MR. PROV. SEC. CARTIER,¹¹

(999)

The House proceeded to take into consideration the Amendment made by the Legislative Council to the Bill, intituled, "An Act to amend the Parliamentary Representation Act of 1853;" and the same was read, as followeth:--

Page 2, line 19. After "County" leave out "des Eboulements," and insert "of Charlevoix."

The said Amendment, being read a second time, was agreed to.

Ordered, That the Honorable Mr. Attorney General Drummond do carry back the Bill to the Legislative Council, and acquaint their Honors, that this House hath agreed to their Amendment.

On motion of the Honorable Mr. Chabot, seconded by Mr. Langton,

Ordered, That the Bill from the Legislative Council, intituled, "An Act to facilitate Private Settlements between Insolvent Debtors and their Creditors," be now read for the first time.

The Bill was accordingly read the first time; and ordered to be read a second time on Monday next.

Sur motion de MR. AT. GEN. J.A. MACDONALD,¹²

(999)

The House proceeded to take into consideration the Amendments made by the Legislative Council to the Bill, intituled, "An Act to amend and consolidate the Acts relating to the appointment of Reporters to the several Courts of Law and Equity in Upper Canada, and to repeal certain Acts therein mentioned;" and the same were read, as follow:--

Page 2, line 16. Leave out from "Canada" to "as" in line 17.

Page 2, line 28. Leave out from "belong" to "signified."

Page 4, line 26. After "provided" insert "Provided always, nevertheless, that no such certificate shall be so issued or delivered to any such Attorney or Solicitor, being at the time a Member of the said Law Society of Upper Canada of what standing or degree soever, who shall at the time of such payment of the said

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certificate fee as hereinafter provided, be indebted to the said Society for any term fee, or other fee or due, payable to the said Society, until all such last mentioned fees and dues shall have been fully paid and satisfied to the Treasurer of the said Society as well as the said sum of money so appointed to be paid in respect of such certificate as aforesaid."

Page 6, line 10. After "Canada" insert "as well."

Page 6, line 11. After "aforesaid" insert "together with any fees or dues that he, if a Member of the said Society, shall be indebted to them as aforesaid."

Page 6, line 31. After "admission" insert Clause (A.)

Clause (A.) "The Clerks of the Crown and Pleas of the said Courts of Queen's Bench and Common Pleas, and the Registrar of the said Court of Chancery, shall, and also the Deputies of such Officer in the County shall, at the commencement of each calendar year, make out a list of the names of all such Attorneys and Solicitors as by the papers or proceedings filed, taken or had in their respective offices during the preceding year, ending the thirty-first day of December of the same, shall appear to have practised as such Attorney or Solicitor at any time during the same, which lists, certified under their respective hands, such Clerks and Registrar and their respective Deputies shall, on or before the first day of Hilary Term, in the year next to that for which they shall be made up, deliver or hand to the Secretary of the Law Society of Upper Canada, at Osgoode Hall."

Ordered, That the further consideration of the said Amendments be postponed until Tuesday next.

Ordered, That the said Amendments be printed for the use of the Members of this House.

Mr. Joseph Curran Morrison, from the Committee of the whole House to take into consideration the expediency of granting further aid to the Grand Trunk Railway Company, reported a Resolution; which was read, as followeth:--

Resolved, That it is expedient to increase the Provincial Aid to the Grand Trunk Railway Company of Canada, to an amount not exceeding Nine hundred thousand pounds, sterling, making fifty per cent in all on that portion of the line which lies between St. Thomas, East of Quebec, and Stratford, West of Toronto, (excluding Victoria Bridge,) such additional Aid to be advanced on work to be performed after the 1st of May 1855, on the security of the whole amalgamated Grand Trunk Line of Railway, and to be repaid within a given period.

*The Honorable Mr. Cayley moved, seconded by the Honorable Mr. Attorney General Macdonald, and the Question being put, That the said Resolution be now read a second time; the House divided:*¹³ *and the names being called for, they were taken down, as follow:--*

(1000-1001)

YEAS.

Messieurs Alleyn, Bell, Bellingham, Blanchet, Brodeur, Cameron, Cartier, Casault, Cayley, Chabot, Chapais, Church, Clarke, Cooke, Crysler, Daly, Jean B. Daoust, Dionne, Attorney General Drummond, Dufresne, Felton, Fergusson, Ferres, Ferrie, Foley, Thomas Fortier, Octave C. Fortier, Fournier, Galt, Gamble, Gould, Hincks, Holton, Labelle, Langton, Larwill, LeBoutillier, Lemieux, Loranger, Lumsden, Attorney General Macdonald, Sir A.N. MacNab, Masson, Meagher, Mongenais, Joseph C. Morrison, Angus Morrison, Munro, O'Farrell, Rankin, Rhodes, Robinson, Roblin, Solicitor General Ross, Solicitor General Smith, Sidney Smith, James Smith, Spence, Stevenson, Turcotte, and Whitney.--(61.)

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NAYS.

Messieurs Aikins, Biggar, Bourassa, Bowes, Brown, Chauveau, Chisholm, Christie, Darche, Desaulniers, DeWitt, Jean B.E. Dorion, Antoine A. Dorion, Dostaler, Freeman, Gill, Guévremont, Hartman, Jobin, Laberge, Laporte, John S. Macdonald, Mackenzie, McCann, Marchildon, Matheson, Mattice, Papin, Patrick, Poulin, Prévost, Rolph, Sanborn, Somerville, Thibaudeau, and Valois.--(36.)

So it was resolved in the Affirmative.

And the said Resolution, being read a second time, was agreed to.

*The Honorable Mr. Cayley moved, seconded by the Honorable Mr. Attorney General Macdonald, and the Question being put, That leave be given to bring in a Bill for granting additional Aid by Loan to the Grand Trunk Railway Company of Canada;*¹⁴

MR. BROWN asked the Inspector General to explain the extraordinary clause, which said that the Company had the power and always had the power to complete their line to Trois Pistoles, Sarnia, London, and Peterboro. No one had ever denied that the Company had full power to go to Trois Pistoles and Sarnia and there was no use of declaring it, while on the other hand it was not true that the Company had always had the power of going to London. It never had a shadow of a pretext for going there. The only reason he could imagine for the clause was that it was an ingenious scheme of the Inspector General to induce hon. gentlemen from Lower Canada, to vote for the Bill, by giving them the impression that the Company would be compelled to go to Trois Pistoles. (Hear, hear.) As to its full power to go there, if ever anything had been settled by Act of Parliament, that was. (Hear, hear.)¹⁵

MR. INSP. GEN. CAYLEY said a mistake had occurred, and he had not seen the clause till it was printed.¹⁶

MR. CAMERON.--Do I understand the hon. gentleman to say, that the clause will be struck out?¹⁷

MR. INSP. GEN. CAYLEY.--I did not say a word about that. (Laughter.)¹⁸

The motion of the Inspector General was then carried¹⁹.

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the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Alleyn, Bell, Bellingham, Blanchet, Burton, Cameron, Cartier, Casault, Cayley, Chabot, Church, Cook, Crysler, Daly, Jean B. Daoust, Dionne, Attorney General Drummond, Dufresne, Felton, Fergusson, Ferres, Ferrie, Foley, Thomas Fortier, Octave C. Fortier, Fournier, Galt, Gamble, Gill, Gould, Hincks, Holton, Labelle, Langton, Larwill, LeBoutillier, Lemieux, Loranger, Lumsden, Attorney General Macdonald, Sir A.N. MacNab, Masson, Meagher, Mongenais, Joseph C. Morrison, Angus Morrison, Munro, Murney, O'Farrell, Rhodes, Robinson, Roblin, Solicitor General Ross, Shaw, Solicitor General Smith, Sidney Smith, James Smith, Spence, Stevenson, Turcotte, and Whitney.--(61.)

NAYS.

Messieurs Aikins, Biggar, Bourassa, Bowes, Brown, Bureau, Chauveau, Chisholm, Christie, Darche, Desaulniers, DeWitt, Jean B.E. Dorion, Antoine A. Dorion, Dostaler, Freeman, Guévremont, Hartman, Jobin, Laberge, Laporte, John S. Macdonald, Mackenzie, McCann, Marchildon, Matheson, Papin, Patrick, Poulin, Powell, Prévost, Rolph, Sanborn, Somerville, Thibaudeau, Valois, and Wright.--(57.)

So it was resolved in the Affirmative.

The Honorable Mr. Cayley accordingly presented the Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Tuesday next.

(1002)

Ordered, That the Bill to incorporate the Benevolent Society of Notre Dame de Bonsecours of Montreal, as reported from the Standing Committee on Miscellaneous Private Bills, be committed to a Committee of the whole House, for Monday next.

Ordered, That the Bill to amend the provisions of the several Acts for the Incorporation of the City of Montreal, as reported from the Standing Committee on Miscellaneous Private Bills, be committed to a Committee of the whole House, for Monday next.

The House, according to Order, resolved itself into a Committee on the Bill further to amend the Act, intituled, "An Act for the management and relief of certain persons therein named, and others, and authorizing them to associate themselves by the name of 'The Quebec Benevolent Society,' under certain restrictions, rules, and regulations therein mentioned;" and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Thibaudeau reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time on Monday next.

MR. INSP. GEN. CAYLEY, in moving the House into Committee of Supply to consider the Estimates for 1855, said that nothing which had occurred since had induced him to doubt the accuracy of the course he took in the end of last year, in not proposing a larger measure of reduction in the tariff than he did, with the prospect they had before them of a period of commercial tightness and embarrassment. It would be perceived that the great change in the estimates for this year, as compared with last year, was on the item of customs. For the present year under that head he had

not ventured to enter a larger sum than 900,000L, being a reduction of one-fourth of the revenue from that source in 1854, and being less than the revenue of 1853. In the first place it had been necessary to make a deduction for the effect of the Reciprocity Treaty. Another deduction had to be made, on account of the large quantity of articles in bond at the commencement of this year, as compared with previous years. At the commencement of 1853, the total value of articles in bond was 297,025L; at the commencement of 1854, 447,075L; and at the commencement of 1855, 661,717L. The value of the duties on the articles in bond in January 1853, was 93,000L; in 1854, 116,000L, 1855, 166,000L, less the reduction to which they would have been liable if not taken out of bond till April 1855, under the new tariff, so that it might be assumed at about 140,000L. It could not be doubted that the amount thus held in bond would affect importation. The whole revenue for the year he estimated at 1,166,520L, and the total estimated expenditure was 1,063,142L, the difference between expenditure and revenue being a little over 100,000L. He had not, however, included in that amount the whole charge to which the revenue of 1855 was liable. He had made no estimate, for example, of the probable cost of the militia, which would not, however, exceed 6,000L or 8,000L, and this and other charges would come against the estimated balance of 100,000L.²⁰

MR. A. DORION (de Montréal,) demanda à l'hon. M. Cayley ... , en sa qualité d'inspecteur-général, si le gouvernement n'aurait pas à émettre de débentures dans le cours de l'année, pour racheter les droits seigneuriaux. Il ajouta qu'il n'en voyait rien dans les estimés tels que soumis, malgré qu'il eût été affirmé lors de la passation du bill que la confection des cadastres serait terminée dans quelques mois au plus, et que les seigneurs auront droit de percevoir le prix du rachat de leurs seigneuries aussitôt que ces cadastres seront terminés.²¹

À cette demande, MR. AT. GEN. DRUMMOND venant au secours de son collègue, répondit que le gouvernement n'aurait rien à déboursier cette année, parce que les seigneurs n'auront droit à leur indemnité que lorsque tous les cadastres seront terminés et que le tribunal spécial aura décidé sur les droits à racheter,--ce qui conduira jusqu'à l'année prochaine.²²

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*The House, according to Order, again resolved itself into Committee of Supply;*²³

Les items furent ensuite votés avec ... quelques remarques, de tems à autres, de la part des membres auxquels les items demandés semblaient un peu élevés.²⁴

L'item de 6,150L pour les dépenses contingentes du Conseil Législatif ((étant lu,))²⁵

((Des membres)) voulai((en))t savoir comment cette somme était dépensée et si elle était réellement dépensée en contingens.²⁶

MR. PRES. EX. COUN. MACNAB répondit que la chambre était obligée de la voter parce que le conseil la demandait, sans s'inquiéter de la manière dont elle est dépensée. Puisqu'il la demande, c'est qu'il en a besoin, et cette raison doit être suffisante pour la chambre.²⁷

La chambre ... vota l'item²⁸.

Le prochain relai fut un item de 7,350L pour le paiement des membres du Conseil Législatif, à \$4 par jour, et 6d par mille pour leurs dépenses de voyages.²⁹

((MR. MACKENZIE)) Quoi! dit-il, trouvez-vous convenable que ces vieux bons hommes viennent tendre leur escarcelle à la chambre basse, eux qui sont censés être les plus grands propriétaires du pays. Pensez donc un peu au mépris qui s'attacherait à la chambre des lords en Angleterre s'ils venaient ainsi mendier une misérable pitance de \$4 par jour! D'ailleurs, continua-t-il, cette pitance de \$4 par jour est beaucoup trop pour des gens qui se réunissent une heure par jour pour la forme, et qui ensuite n'ont qu'à se promener,--et il y en a qui ont l'impudeur de se faire payer pour tout le tems de la session lorsqu'ils n'y assistent que quelques jours; au moins c'est ce qu'on lui a dit et répété plusieurs fois. Mais il n'y a pas moyen de s'en assurer, parce que tous les comptes du Conseil Législatif sont cachés.³⁰

L'item fut voté par 42 voix, contre 25.³¹

À ((l'item)) de 63,000L pour les dépenses contingentes de la chambre, à part l'indemnité des membres³²,

MR. MACKENZIE ... ((trouva)) la somme énorme.³³

MR. INSP. GEN. CAYLEY détailla quelques items de cette somme³⁴.

MR. J. DORION (de Drummond) ... ((attira)) l'attention de la chambre sur un item de 10,000L à être payé au propriétaire du Canadien, M. Fréchette, pour l'impression de trois volumes des Edits et Ordonnances. Il est difficile de comprendre comment un ouvrage de trois volumes, à 500 pages chacun, peut coûter \$40,000, lorsqu'on pourrait le faire imprimer pour 500L.³⁵

Après quelque discussion sur cet item ... ((il)) fut adopté³⁶.

En arrivant à l'item des 50L pour l'Institut-Canadien de Québec,³⁷

MR. PROV. SEC. CARTIER ... dit que c'était une erreur qui avait été commise, et qu'au lieu de l'Institut de Québec, il fallait lire "de Montréal." Celui de Québec reçoit une allocation de 200L sous un autre titre.³⁸

The items most strongly objected to were removed for future discussion.³⁹

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and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Loranger reported, That the Committee had made some progress, and directed him to move for leave to sit again.

Ordered, That the Committee have leave to sit again on Tuesday next.

The Order of the day for receiving the Report of the Committee of the whole House on the Bill to reform the Municipal System of Lower Canada, and to establish County, Parish, and Township Municipalities therein, being read;

Ordered, That the said Order be discharged.

On the motion of MR. AT. GEN. DRUMMOND,⁴⁰

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Ordered, That the Bill be re-committed to a Committee of the whole House, to make further amendments thereunto.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Pouliot reported, That the Committee had gone through the Bill, and made further amendments thereunto.

Ordered, That the Report be received on Tuesday next.

Then, on motion of Mr. Papin, seconded by Mr. Laberge,
The House adjourned.

((NOTICE OF MOTION FOR AN ADDRESS RE: NORTH SHORE RAILWAY.))

MR. CHRISTIE ((gave notice that he would move)) an Address to His Excellency the Governor General, praying that His Excellency will cause to be laid before the House, copies of all correspondence which may have passed between members of the House and the Provincial Administration, on the subject of a conditional public aid to the North Shore Railway, either by Provincial Guarantee, or by a grant of land from the Public domain.⁴¹

((NOTICE OF MOTION FOR RESOLUTIONS RE: RAILROADS.))

MR. BELLINGHAM ((gave notice that he)) will to-morrow move the adoption of the following Resolutions:--

1. That in order to develop the resources of the Province, and promote the settlement of the Crown Domain situated on the St. Maurice, the Ottawa and the eastern shore of Georgian Bay, it is expedient that a line of Railway be established extending from the tide water at Quebec, to the shores of Lake Huron.

2. That the North Shore Railway, the Montreal and Bytown, the Bytown and Pembroke, and the Brockville and Ottawa, be authorised to construct those sections of the route between tide waters at Quebec, and Lake Huron, more particularly described in their respective Charters; and that to ensure the harmony of varied interests enlisted in the construction of a Railway, common to all the said Companies, from Pembroke on the Ottawa to Lake Huron, it is expedient that the said Companies, or any three or more of them, shall, under the name of the Atlantic, Ottawa, and Lake Huron Railway, have full power and authority conjointly to construct a Railway from Pembroke to some point on the Georgian Bay, or on Lake Huron no further South than the mouth of the Severn.

3. That the affairs of the said Atlantic Ottawa, and Lake Huron Railway Company, shall be managed by twelve Directors, chosen among the four Railway Companies or a majority of them.

4. That it is not expedient further to increase the liabilities of the Province in aiding the extension of a Railway System throughout the Province than has already been done, but, inasmuch as the line of Railway upon the uniform gauge (sic) of 5 feet 6 inches, extending from Quebec to Lake Huron, would open up a large tract of country for settlement, would afford facilities for intercommunication between the various sections of the intervening country, and would contribute materially to the advancement of that important region of Canada, commonly known as the Valley of the Ottawa, and which contributes largely to the revenue of the country, and it is desirable and expedient to extend to such line of Railway every legitimate assistance; and with the view of facilitating the necessary arrangement therefor, and assisting the several Municipalities interested therein, all the ungranted lands lying within the said sections of the Province within ten miles on either side of the said last named Railway line, and such branches thereof as it may be found desirable to construct, and on the line of the proposed branch Railway connecting the waters of the St. Maurice with the North Shore Railway, be placed at the disposal of the Governor of this Province in Council to be appropriated and granted to the said Company in such way as he may think most fit for the interests of the Railway, and for securing the construction of the same without prejudice to the rights heretofore conferred by existing charters, unless the Companies heretofore in existence shall respectively concur in waiving the same and agreeing to accept of

such advantages, it being expressly understood that such land shall be granted pro rata as the works advance proportionally on the said line, or on the several sections thereof, upon the certificate, by an engineer appointed, or of the amount of work done, and the progress thereon respectively, so that all the sections thereof shall participate in the benefit of such grant in proportion to their extent.⁴²

((NOTICE OF MOTION RE: INTOXICATING LIQUORS.))

MR. FELTON gave notice that he would move on Monday next, as soon as may be after the Speaker takes the chair, that notwithstanding the 2nd standing order, he be allowed to take up and proceed with the several motions relative to the question of prohibiting the sale of alcoholic and intoxicating liquors whereon he has given notice for that day before proceeding with preceding matters.⁴³

((NOTICE OF MOTION RE: INTOXICATING LIQUORS.))

MR. FELTON ((gave notice that)) on Monday next ((he would move)) to suspend the 8th standing order of this House, the 31st, 35th, 50th, 51st, 57th, 87th and 88th rules of this House, in so far as they relate to the resolutions of the committee of the whole, and to the bill to prevent the traffic in alcoholic and intoxicating liquors, and every other rule and practice of this House which would retard the passing of the said bill in so far as they relate to the said bill.⁴⁴

((NOTICE OF MOTION FOR COMMITTEE RE: INTOXICATING LIQUORS.))

MR. FELTON gave notice that he would move ... to go into Committee on the propriety of prohibiting the sale of intoxicating liquors, &c., on motion for the first reading of the bill⁴⁵.

FOOTNOTES: 4 MAY 1855.

1. GLOBE, 16 May 1855.
2. IBID.
3. IBID.
4. IBID.
5. IBID.
6. IBID.
7. IBID.
8. IBID.
9. MORNING CHRONICLE, 7 May 1855.
10. LE PAYS, 12 May 1855.
11. MORNING CHRONICLE, 7 May 1855.
12. LA MINERVE, 12 May 1855.
13. MONTREAL GAZETTE, 9 May 1855, makes the following commentary concerning this division: "We generally have long discussions on the first, second and third readings of bills, in Committee on the question of concurrence in the report and on the motion that the bill pass. To-night, when the question of concurrence by the House in the resolutions respecting the Grand Trunk Railway were adopted and reported by the Committee of the Whole, they took the division without saying a word. In fact, the House has been in capital working order for the past two days: a fortnight's more such industry will do an immense deal towards winding up what remains to be done."
14. The details of Mr. Cayley's bill and the different clauses contained therein have been reported in LA MINERVE, 8 May 1855. An English version of this Bill can also be found in MONTREAL GAZETTE, 9 May 1855.
15. GLOBE, 16 May 1855.
16. IBID.
17. IBID.
18. IBID.
19. IBID.
20. IBID.
21. LE PAYS, 16 May 1855.
22. IBID.
23. MORNING CHRONICLE, 7 May 1855, reports: "The House went into Committee of Supply; and went through all the items down to that of 5000L for the Paris exhibition."
24. LE PAYS, 16 May 1855. This newspaper makes the following additional comment: "Les items furent ... votés avec une célérité exemplaire. Le président lisait les items et criait 'emporté' sans prendre haleine.... De tems à autre, M. Mackenzie se levait tout-à-coup et arrêta le président tout court."
25. LE PAYS, 16 May 1855.
26. IBID.
27. IBID.
28. IBID.
29. IBID.
30. IBID.
31. IBID.
32. IBID.
33. IBID.
34. IBID.
35. IBID.

36. IBID.
37. IBID.
38. LE PAYS, 16 May 1855. It is unclear whether this last sentence was spoken by Mr. Cartier or represents the reporter's own comment. Throughout this whole debate, LE PAYS, 16 May 1855, intersects members' speeches with various remarks. A few of these remarks may therefore be incorporated in the speeches reported here.
39. GLOBE, 16 May 1855.
40. IBID.
41. MORNING CHRONICLE, 7 May 1855.
42. IBID.
43. Telegraph (GLOBE, 5 May 1855).
44. Telegraph (GLOBE, 5 May 1855). Telegraph (TORONTO DAILY LEADER, 7 May 1855), reports the purpose of Mr. Felton's motion to suspend rules to be: "in order that ... ((the Bill)) may be read the first, second and third time on the same day."
45. Telegraph (TORONTO DAILY LEADER, 5 May 1855).

SATURDAY, 5 MAY 1855.

(1002)

THE following Petition was brought up, and laid on the table:--

By Mr. Christie,--The Petition of Daniel Costello and others, Bailiffs.

Pursuant to the Order of the day, the following Petitions were read:--

(1003)

Of L. Fairbanks and others, Clerks of Division Courts for the County of Ontario; and of Charles C. Neville and others, Clerks of Division Courts for the United Counties of Northumberland and Durham; praying that the Tariff of Fees allowed them under the Act 16 Vic. cap. 54, may be increased.

Of A.S. Barber and others, Bailiffs of the County of Norfolk; and of Hugh McKay and others, Bailiffs of Division Courts, County of Oxford; praying that the Tariff of Fees allowed them by law, may be increased.

Of the Reverend D.C. McDowell and others, of the Township of Beckwith; praying that the Bill to prevent the traffic in alcoholic and intoxicating liquors, may become law.

Of William Whillaus, junior, and others, of the County of Middlesex; and of Henry Anderson and others, of the County of Norfolk; praying that the discretionary power of commutation may not be exercised in carrying out the provisions of the Clergy Reserves Act.

Of Timothy Downie, of the Township of Percé, County of Gaspé; representing that he has been confined in Gaol at Percé since September last, on a charge of felony, of which he is innocent, and that such confinement has impaired his health, that no General Sessions of the Peace have been held for upwards of two years within the County of Gaspé, whereby he has been deprived of the means of being freed from unjust imprisonment; and praying that an enquiry may be instituted into the circumstances of his case.

Of N.S. Quackinbush and others, of the Township of Fredericksburgh; and of A. Dufresne and others, of the Parish of St. Athanase; praying that a permanent Seat of Government may be established.

Of Robert Emond and others, of the first and second Concessions of the Township of Garafraxa; praying that the first and second Concessions of the Township of Garafraxa may be united to the Township of Nichol.

Of the Montreal General Hospital; praying for an aid.

Sur motion de MR. TURCOTTE,¹

(1003)

Ordered, That the Petition of P.E. Leclerc and others, of the Parish of St. Hyacinthe, be referred to the Standing Committee on Miscellaneous Private Bills.

The Honorable Mr. Cameron, from the Select Committee appointed to try and determine the matter of the Petition complaining of an undue Election and Return for the County of Argenteuil, informed the House, That they had appointed William King McCord, Esquire, Circuit Judge for the District of Montreal, Commissioner to take the Evidence of the Sitting Member and of the Petitioner, on the subject of the said Election.

Sur motion de MR. CAMERON,²

(1003)

Ordered, That the Select Committee on the Argenteuil Election Petition have leave to adjourn until such time as the Speaker of this House shall, by his Warrant to be issued in the manner provided by "The Election Petitions Act of 1851," direct the said Committee to re-assemble, and take the proceedings of the said Commissioner into consideration.

The Honorable Mr. Cameron, from the Standing Committee on Miscellaneous Private Bills, presented to the House the Thirty-seventh Report of the said Committee; which was read, as followeth:--

Your Committee have examined the following Bills, and have agreed to several amendments to each of the same, viz:--

Bill to incorporate the St. Patrick's Orphan Asylum of Montreal:

Bill to incorporate the Asylum of the Good Shepherd, of Quebec:

Bill to incorporate the St. Lawrence Assurance Company:

Bill to incorporate the Victoria Hospital at Quebec:

Bill to authorize the Municipal Council of the County of Welland to raise

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means to liquidate certain debts and claims against the said County, and for other purposes:

Bill to incorporate the Aylmer Academy:

Bill to incorporate the Abbotsford Academy:

Bill to incorporate Les Soeurs de la Présentation.

All which amendments Your Committee beg to submit for the consideration of Your Honorable House.

Ordered, That the Bill to incorporate the St. Patrick's Orphan Asylum of Montreal, as reported from the Standing Committee on Miscellaneous Private Bills, be committed to a Committee of the whole House, for Monday next.

Ordered, That the Bill to incorporate Les Soeurs de la Présentation, as reported from the Standing Committee on Miscellaneous Private Bills, be committed to a Committee of the whole House, for Monday next.

Ordered, That the Bill to incorporate the Abbotsford Academy, as reported from the Standing Committee on Miscellaneous Private Bills, be committed to a Committee of the whole House, for Monday next.

Ordered, That the Bill to authorize the Municipal Council of the County of Welland to raise means to liquidate certain debts and claims against the said County, and for other purposes, as reported from the Standing Committee on Miscellaneous Private Bills, be committed to a Committee of the whole House, for Monday next.

Ordered, That the Bill to incorporate the Asylum of the Good Shepherd, of Quebec, as reported from the Standing Committee on Miscellaneous Private Bills, be committed to a Committee of the whole House, for Monday next.

Ordered, That the Bill to incorporate the Victoria Hospital at Quebec, as reported from the Standing Committee on Miscellaneous Private Bills, be committed to a Committee of the whole House, for Monday next.

Mr. Langton, from the Joint Committee appointed by the Legislative Council and Legislative Assembly for the regulation and management of the Parliamentary Library, presented to the House the Fourth Report of the said Committee; which was read, as followeth:--

The Committee in referring to the present state of the Library, since the lamentable destruction of so large a portion thereof, by the Fire of the 1st February, 1854, perceive that it is altogether defective and incomplete. They have accordingly directed their attention to the best mode of restoring the Collection to its former extent and value. A Parliamentary Library, the Committee have considered, has a special object; to facilitate legislation and the conduct of public business, by affording the means of studying, and readily referring to any subject which is likely to engage the attention of the Legislature, or the different branches of the Executive Government. To effect this, and ensure the selection of the best works on the various branches of study, the Committee have carefully reviewed the different departments of literature hitherto embraced in the Library, and have adopted a scheme of selection for the future, which they trust will enable the parties whom they may entrust with the choice of the works to be hereafter obtained, to procure such as may be found of practical utility.

In order to carry out officially their plans on behalf of the Library, the Committee have determined upon sending to Europe, as speed*((i))*ly as possible, a special Agent, in whose judgment they have confidence, and who, though mainly

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regulated in his purchases of Books by the general rules laid down by the Committee, must nevertheless have large discretional powers. This Agent will proceed to the great Book Marts of London and Paris, and make choice of the best works in the various departments of Law, Politics, Literature, and Science, agreeably to the instructions he may receive. The Committee have agreed to entrust this duty to Mr. Todd, the Assistant Librarian of the Legislative Assembly.

In the selections and purchases to be made, the Committee are of opinion that the peculiar position of the Province requires that both the English and French languages should be equally represented.

The Committee have also made arrangements for supplying Mr. Todd with more minute instructions in reference to those departments of knowledge in which he might not otherwise be able to make a judicious selection; and to afford him a safe guide in the execution of his duty, Mr. Taché, a Member of the Committee, is at present in Paris, and the Committee doubt not, will readily afford the benefit of his assistance in the choice of the French works. The length of time during which it will be necessary for Mr. Todd to be absent, being uncertain, the Committee have considered that the best way of defraying his expenses would be by an allowance of five dollars a day for this purpose, from the time of his leaving Quebec until his return, with the addition of One hundred and fifty pounds to cover the additional cost of the voyage, and of arrangements consequent upon his absence from home.

The Committee are aware of the importance in re-constructing the Library upon an extended and useful scale, of providing a Collection of the Laws and Public Documents of the United States, and the several States adjoining. This service cannot be performed by Mr. Todd, if he proceeds to Europe; they have accordingly requested the Chairman of the Committee to undertake it, and they are confident that by his exertions in Washington and elsewhere, the necessary arrangements can be made for procuring all such Books, and for organizing a system of exchanges with the principal Legislatures of the neighbouring States, by which the utility of our Library hereafter will be considerably increased.

On motion of Mr. Holton, seconded by Mr. Antoine Aimé Dorion,

Ordered, That the Select Committee on the Megantic Election Petitions have leave to adjourn until Wednesday next, to give time to the Sitting Member to prepare his defence; the Petitioner having declared his case closed, and that he will confine himself to the Evidence as taken before the Commissioner.

Sur motion de MR. PRES. EX. COUN. MACNAB,³

(1005)

Ordered, That the Bill to incorporate the Western Canada Loan Company, be committed to a Committee of the whole House, for Tuesday next.

Ordered, That the Petition of the Mayor, Aldermen, and Commonalty of the City of Toronto, relating to the Esplanade; and--

Sur motion de MR. WHITNEY,⁴

(1005)

the Petition of Messieurs Dyde and Major, Joint Inspector of Pot and Pearl Ashes in the District of Montreal, be printed for the use of the Members of this House.

On motion of Mr. Freeman, seconded by Mr. Gould,

Resolved, That this House will, on Monday next, resolve itself into a Committee to consider the expediency of increasing the Fees of the Clerk and Bailiffs of the Division Courts in Upper Canada.

Mr. Langton moved, seconded by the Honorable John Sandfield Macdonald, and the Question being put, That this House do sit on Mondays and Thursdays, from Eleven o'clock in the forenoon, to Two o'clock in the afternoon, during the remainder of the Session, to commence on Thursday next; the House divided:--And it was resolved in the Affirmative.

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Mr. Huot moved, seconded by Mr. Jobin, and the Question being put, That an humble Address be presented to His Excellency the Governor General, praying him to cause to be laid before this House, copies of certain Declarations made by Parties in the County of Saguenay, containing accusations against several inhabitants, and amongst others, against several Magistrates of that locality, with a view to procure the sending of an armed force at the last Election for Saguenay; the House divided:--And it passed in the Negative.

Mr. Huot moved, seconded by Mr. Loranger, and the Question being proposed, That this House is of opinion, that the punishment of death, while it is repugnant to the present state of society, does not prevent the continuance of the crimes for which authority ordains its application; that accordingly a Law should be brought in to abolish the punishment of death in the Province of Canada;

MR. HUOT.--En présentant ces résolutions pour l'abolition de la peine de mort, j'espère que cette chambre comprendra que les motifs qui me font agir sont parfaitement sérieux, que ces résolutions sont d'autant plus importantes qu'elles tendent à détruire un article très grave de notre code pénal, que cette question enfin est une question qui touche à l'existence humaine, ce qu'il y a de plus sacré dans les

desseins de la Providence.--Mais je sais que ces résolutions devront rencontrer une assez forte opposition d'après la connaissance que j'ai de l'opinion d'un certain nombre d'honorables membres de cette chambre, je comprends et je m'explique cela parfaitement--Lorsque l'on veut toucher à une vieille institution, quelque usée ou flétrie qu'elle soit, à une loi comme celle de la peine de mort surtout que l'on reconnaît sur les pages de l'histoire par les taches de sang qu'elle y a jetées, par les sombres émotions qu'elle a soulevées à certaines époques décisives, qu'enfin l'on voit fonctionner chez les nations les plus civilisées sous le prétexte frivole, suivant moi, s'il n'avait d'aussi fatales conséquences, de son utilité publique, d'une impérieuse nécessité sociale et, ce qui est le plus déplorable, comme d'un droit dont la pratique est non seulement permise mais même recommandée par ce qu'il y a de plus sacré, par la religion, par ce code divin où l'on voudrait toujours chercher et trouver de sanglants enseignements, mais dont chaque pays, chaque pensée, chaque ligne ne sont que des chants de miséricorde, de charité et d'amour,--vouloir, dis-je, détruire une pareille loi, remuer une opinion aussi paisiblement assise, aussi bien fortifiée par l'exemple, je conçois que c'est difficile, très malaisé--J'ai assez de confiance cependant dans l'instruction et le jugement d'un certain nombre de nos collègues pour espérer qu'ils pourront apprécier quelle influence peut exercer cette loi de sang, cette loi du talion sur le caractère et les mœurs d'un peuple. Quoiqu'il en soit du résultat de ces résolutions, je crois de mon devoir d'exprimer en peu de mots les sentiments qui soulèvent en moi comme dans d'autres les applications de la peine capitale, de dire combien il est pénible de voir dans votre code pénal cette loi dont on n'avait pas demandé, dont on n'avait pas reçu le hideux service depuis 1838, mais qui vient de jouer son rôle, de se montrer aux Trois-Rivières avec tout son appareil de bourreau et de supplicié, de désespoir et de lutte suprême; de voir, dis-je, cette loi qui, malgré que l'on ne s'en serve guère, n'en répugne pas moins à notre civilisation chrétienne et peut d'un moment à l'autre, prendre un homme vertueux, immaculé et le jeter sous la main du fonctionnaire chargé de dénouement de ces sortes de drame. Je n'ai pas le dessein, M. l'orateur, de faire un long discours sur ce sujet, je ne ferai que répéter en termes affaiblis, insuffisants peut-être, les idées et les sentiments exprimés par des hommes comme Beccaria, Bentham, Pluça, Lamartine, une foule d'autres qui font autorité par leur génie et leurs services tendus à la civilisation et qui, tous, se sont accordés à répudier cette loi comme inutile, à la flétrir comme immorale, à faire de cette loi une loi d'horreur aux yeux, au coeur de l'humanité. Et quand je parle d'autorité, je désire être compris, nous n'avons pas besoin d'autorité pour nous guider, nous pouvons bien y voir par nous-même, établir un jugement basé sur nos propres impressions, sur le passé, sur l'histoire, sur ce que notre raison a pu nous dire sur ce que notre coeur épouvanté a pu murmurer devant l'échafaud alors qu'un homme condamné à mort, y subissait sa sentence pour un crime dont il était innocent ou coupable, qu'importe, car ce fut assez, sans vouloir diminuer l'autorité des tribunaux, le caractère propre de la justice distributive d'ici bas de prendre, de frapper souvent dans la nuit où elle se trouve l'innocent pour le coupable, le juste pour le bandit.

Avant d'exposer cependant les raisonnements bien connus de ceux qui sont contre l'abolition de la peine de mort, qu'il me soit permis d'exprimer quelques observations que je crois utiles, nécessaires au développement de cette question. Il est une vérité que personne ne niera, à laquelle chaque siècle, chaque événement, pour ainsi dire, apporte une preuve, une sanction, que chaque transformation sociale entoure de sa lumière et rend de plus en plus authentique, c'est celle de la perfectibilité humaine, c'est celle de l'égalité, de la charité, de la liberté gagnant toujours du terrain, s'établissant de plus en plus, se fortifiant sans cesse par la

destruction de ce que l'antiquité a pu nous léguer de barbare, par la création d'une foule d'institutions faites au monde, élevées sous l'inspiration féconde du christianisme. Ceux qui veulent voir et entendre, ceux qui ont lu ou veulent écouter l'histoire et ses enseignements pourront apprécier ce que je dis, distinguer la marche ascendante de cette vérité, voir dans l'antiquité les gouvernements s'appuyer sur la force, sur le sabre, sur des lois de colère et de vengeance,--les sociétés voilées d'ignorance, l'intelligence faussée accepter ces lois, accepter tout inégalité, des conditions, esclavage, allant jusqu'à sacrifier des victimes humaines pour la plus grande gloire et comme preuve suprême d'adoration envers leurs divinités, osant jeter aux bêtes pour l'amusement des Césars des milliers et des milliers de proscrits, de vaincus, de martyrs jusqu'au jour où un monde nouveau, entouré d'une idée nouvelle et divine, se lève,--jusqu'au jour où une voix douce et puissante, partie de la Judée, s'en vient dire à toutes les infortunes humaines, au pauvre, au proscrit, à l'esclave, à tous les déshérités de la civilisation d'alors: Levez-vous et marchez, vos douleurs sont finis;--aimez-vous les uns les autres, car vous êtes égaux, vous êtes frères;--la loi que je prêche n'est pas une loi de sang, mais une loi de concorde et d'amour. Et, pour appuyer cette doctrine de rédemption, le Christ venait, en pardonnant à ses bourreaux, expirer, élevé sur une croix, comme pour mieux dominer la civilisation qui allait se faire à sa parole.

Il est facile de voir alors le progrès s'opérer, de voir lentement mais d'une manière continue les vieux codes tomber, l'esprit de ces temps se transformer, le vieil échafaudage s'écrouler, il est facile de voir que ce qui fut l'esclavage se change en servage, puis l'égalité s'établit dans les moeurs et, comme corollaire, la liberté politique dans les chartes, dans les constitutions,--on s'aperçoit que ce qui fut le droit de conquête qui précipitait les nations, les hordes les uns contre les autres, dans le but de se dépouiller, change et ne devient pour les peuples que le droit de se défendre, de maintenir l'équilibre, il établie (sic) par les traités de nation à nation de protéger la famille, le foyer, la nationalité, toutes les saintes croyances qui font les hommes forts et grands par la tête et par le coeur:--On peut voir que la mort, acceptée comme amusement, pour ainsi dire, par ceux qui, passant devant les loges impériales, disaient: "César, ceux qui vont mourir te saluent;" devient une peine, un moyen appliqué au profit d'une idée sociale ou politique ou religieuse, puis un moyen de protection, que quelques nations ont même fini par répudier.

M. l'Orateur, devant ces faits, en présence de cette marche des événement(s) pourquoi retarderions-nous, pourquoi n'accepterions-nous pas une législation appropriée à cet esprit? Pourquoi ne compléterions-nous pas cette idée commencée il y a deux mille ans près, et qui devra infailliblement finir par l'abolition de cette peine de mort qui existe encore ici dans notre code pénal pour le meurtre et la haute trahison?

Maintenant, je demanderai quelles sont les raisons données par les partisans de la peine de mort pour le maintien de cette loi.--Ces raisons sont de plusieurs sortes:--Les uns vous disent que l'échafaud est utile et protège la société, les autres qu'il corrige le criminel en jetant, par l'idée de ce jour, de cette heure mémorable où il doit périr, des sentiments de repentir en son âme, ceux-ci nous diront qu'après tout la peine de mort n'est qu'une juste et légitime expiration; ceux-là enfin quelle (sic) empêche la répétition des mêmes crimes. Je ne prendrai de ces raisons que celles que je crois dignes d'une sérieuse considération.

La peine de mort, en même temps quelle (sic) protège la société, empêche le crime. Eh bien, M. l'Orateur, qu'on aille voir en Italie, dans quelques parties des États-Unis, où l'échafaud est dans ses beaux jours, où l'emploi du bourreau n'est certes pas une sinécure, si le meurtre et le vol ne s'y promènent pas, ne s'y

consomment pas en plein soleil! Que l'on se demande si la Californie, qui a vu souvent ses citoyens indignés s'emparer de criminels et les immoler sur le champ sans forme de procès, s'est aperçue que le vol et le meurtre avaient diminué dans ((son)) sein! Il est bien connu que c'est le plus souvent dans les endroits où l'on exécute que le voleur établit ses meilleures, ses plus lucratives opérations,--que c'est souvent au moment même où le bourreau détruit une existence humaine, au moment où le spectateur ému et frissonnant concentre son attention sur le sanglant dénouement du drame, que ce dernier est bel et bien volé.--Il a été un temps en Angleterre, ce pays où l'on s'est peut-être le plus servi de l'échafaud, il a été un temps où dans une seule partie de Londres, middlesex, on a plus exécuté de criminels dans l'intervalle d'un an que dans la France entière dans le même espace de temps, et pourtant il n'y avait pas plus de crimes en Angleterre qu'en France; la seule différence provenait de l'emploi plus souvent répété de l'échafaud dans le premier que dans le second pays. Depuis, en Angleterre, les circonstances atténuantes, le droit de clémence ont de beaucoup diminué les exécutions, à tel point que, la proportion entre les condamnés sur qui ce droit de clémence s'exerçait et les suppliciés, était au commencement de ce siècle de un sur huit, et qu'elle est descendue de un sur trois aujourd'hui, et pourtant, la libre et industrielle Angleterre ne compte pas plus de crimes qu'auparavant. En Russie, où la population est neuve, diverse, presque barbare, il n'y a pas eu plus de quatre exécutions capitales dans l'espace d'un siècle près, et le vol et le meurtre n'y sont pas plus nombreux. Il est un exemple bien plus frappant, bien plus convaincant, c'est celui de la Toscane, ce duché Italien où la population est soeur de celle des États Romains, et dont le sang qui coule dans ses veines est aussi brûlant que les feux de son soleil, dont les passions sont aussi ardentes que celles de ces États Romains dont je viens de parler, où l'assassinat est presque endémique.--Dans les deux ou trois dernières années où la peine de mort a été abolie en Toscane, on n'a compté que six assassinats, tandis que dans les États Romains, dans le même temps et dans l'espace de trois mois, il y a eu soixante assassinats--Ces faits sont cités dans un livre de Bentham.

Pourquoi donc, M. l'Orateur, lorsque l'on voit la Toscane, duché de cette Italie si pleine de passions et de révolutions, lorsque l'on voit la Russie, où la population est en partie barbare, présenter des résultats aussi consolants, persisterions-nous à nous appuyer sur ce système pour nous protéger, pour sauver la société, pour empêcher le crime?--En persistant dans cette opinion, on voudrait nous faire croire que l'échafaud est une école dont le bourreau serait l'instituteur, qui viendrait à certains intervalles jeter comme une leçon féconde un plat de sang à la face de la société. On se trompe étrangement--L'application de la peine de mort une (sic) donne pas des leçons utiles et salutaires aux hommes, ce n'est pas ce qui contribue à accorder l'ordre, la moralité, le bonheur aux sociétés: Ces vertus sont des fleurs qui ne prennent pas pour parterre un échafaud, et ne vont pas demander pour la conservation de leur parfum, de leur état, de leur beauté une rosée de sang humain. Il est n'autres (sic) moyens plus efficaces d'empêche(r) ces crimes, qui épouvantent la société. Faites de bonnes lois; laissez de côté les préjugés; établissez de bonnes écoles; jetez la lumière dans les intelligences; protégez le pauvre sans appauvrir le riche, et surtout faites disparaître le tripot, la taverne où l'homme va abandonner les joies sacrées du foyer, les saintes notions de la famille pour arriver l'oeil aviné, l'intelligence obscurcie, le sang brûlé au suicide ou à l'assassinat. D'ailleurs le crime n'arrive que par une impérieuse nécessité ou une forte passion. Eh! bien, lorsqu'un homme, poussé par la faim, par exemple, ou par la jalousie ou par l'ambition, choisit un homme dans la foule et le tue, cet homme ne pense pas au châtement, ne pense pas à l'échafaud, à l'avenir quelque sombre, quelque sinistre qu'il puisse apparaître ((à)) cet homme, c'est

l'homme du présent, c'est l'enfant de sa passion. L'avenir pour lui, c'est l'incertain, l'inconnu, au lieu que sa passion, c'est la réalité, c'est le torrent qui l'entraîne, le pousse au crime et fait de lui le Caïn de son frère. Je le répète, la société, en supprimant le criminel ne supprime pas le crime; elle dit à l'assassin: Tu as tué. Eh; bien, pour te punir et apprendre aux autres à respecter l'existence humaine, je vais te tuer, et l'on appellera vertu cet acte de copier froidement le crime qu'elle veut punir!

Mais, dit-on, l'échafaud protège la société. Sans être absurde, cette raison n'en est pas moins marquée au coin d'une infinie lâcheté. Eh quoi! nous sommes 170,000 hommes contre un homme. Nous avons en nos mains l'autorité, la loi qui condamne, qui punit; nous avons des pénitenciers, des asiles que l'on peut rendre impénétrables, des cachots dont l'ombre et le silence ne sont traversés que par le remords qui part du criminel, et par la religion qui vient, sous la douce et sérieuse figure du prêtre, apporter au coeur du criminel la foi, l'espérance, le repentir, et nous aurions besoin de l'échafaud pour moyen de protection, nous hommes purs et libres d'atteintes de la loi!

Qu'on y prenne garde, M. l'Orateur, la société n'est pas simplement une aggrégation de corps et de membres; elle a aussi son sens moral qu'il ne faut pas blesser, et les moyens de répression par l'échafaud le blessent profondément. J'admets que dans un incendie, on détruise une propriété pour épargner d'autres édifices d'une ruine certaine, mais que sous le prétexte incertain, plus que douteux de sauver des existences humaines, on tue un homme lorsque la société a d'autres moyens de se préserver, je n'en suis point. Vous édifierez la propriété détruite, mais vous ne donnerez pas la vie à l'innocent que souvent vous aurez immolé, vous n'indemnisez pas sa famille. Vous ne donnerez pas la vie au coupable que vous aurez tué; vous ne ferez pas que cet homme puisse se lever de sa tombe, se racheter, se repentir, se frapper la poitrine pour en faire sortir le remords et y substituer la paix du coeur par l'expiation.

Je parle à des croyants, à des hommes qui doivent concevoir que l'on n'arrive à une bonne mort que par une vie remplie de bonnes oeuvres,—que l'on n'efface des crimes que par une austère et libre expiation. Dans ce sens, je demande s'il est une plus terrible responsabilité que celle qu'assume, que revêt la société, le législateur qui accorde le droit à un tribunal de condamner un homme à la mort, de l'envoyer, tout hideux de son crime, les mains teintés du sang encore chaud de son frère, le coeur fermé au repentir; devant le Dieu qui juge avec bonté mais avec une implacable justice. Car le criminel ne s'amende pas, ne se repent pas. L'idée de ce jour où il doit périr le jette dans l'épouvante, dérange son équilibre moral, détruit son libre arbitre, et c'est presque toujours une âme toute palpitante de son crime, c'est presque toujours du sein d'un désespoir profond, d'un cynisme abject que tous tirez cet homme de son cachot pour le mener à l'échafaud, et de là le jeter devant Dieu, devant une infaillible justice. Cette responsabilité est trop redoutable, cette idée que le bourreau nous représente dans sa pénible fonction,—que sa main qui arrange la corde autour du cou d'un condamné, c'est notre main,—que son pied qui en faisant mouvoir un certain ressort, lance un homme dans l'éternité, c'est notre pied, cette responsabilité, dis-je, est trop grave, cette procuration est trop dégoûtante pour que je ne proteste pas contre elles, et contre la loi qui me l'impose.

Je sais bien, M. l'orateur, qu'il y en aura toujours pour dire que l'échafaud est une protection et une leçon, mais ces hommes ne sont mus que par une peur invincible, ces hommes-là manquent de courage. Ils vous diront qu'ils ne veulent pas essayer d'une expérience dont on n'apercevra l'inutilité plus tard que lorsque le sol sera couvert de sang, jonché de cadavres, et ils resteront dans cette opinion, persuadés, convaincus, qu'ils sont dans le vrai chemin.

Eh bien, à ces hommes-là qui croient dans l'échafaud comme on croit dans la providence, dans les décrets infaillibles de Dieu, il suffit de citer le fait de milliers, d'in((n))ocents condamnés pour les vrais coupables, il suffit de faire passer devant leurs yeux cadavres sur cadavres, des personnes vivant d'une manière calme et paisible au sein de leur famille, arrachées tout-à-coup de leur foyer, des bras de leur((s)) enfants, de tout ce qu'elles avaient de cher et de sacré, par l'autorité, sur un simple soupçon puis condamnées, exécutées, laissant souvent dans un abîme de honte des parents sur qui une injustice (sic) opinion publique reportait l'infamie du crime et de la punition. Dernièrement, le jury qui, à Montréal avait trouvé coupable le nommé Guay du meurtre de sa femme, est venu, par une requête à son Excellence, déclarer qu'il s'était trompé.--Qu'eussiez-vous fait si cet homme eût été pendu?--Le Courrier des États-Unis cite dans l'espace de quinze jours deux faits de personnes condamnées en France pour meurtre, l'une à six ans l'autre à ving((t)) ans de travaux forcés et qui ont été trouvées innocentes. Devant ces faits qui se répètent tous les jours, quel est le législateur qui pourrait dire: Je suis innocent du sang de cet homme; je m'en lave les mains!

Mais il est un autre crime auquel la peine capitale est applicable, c'est le crime de haute trahison, le crime politique. Eh! bien je demande si, dans ce sens, l'échafaud n'apparaît pas, à travers les siècles, comme le meurtrier de la pensée, de la vertu, des plus saints et des plus vaillants sentiments; si la peine de mort n'apparaît pas, il y a deux mille ans, sous la forme d'une croix où monte le Christ --plus tard, sous la forme d'un bûcher, que l'on allume et où l'on précipite Jeanne d'Arc, parce que, sainte et vaillante héroïne, elle avait délivré son pays vaincu, humilié, et donné à la nationalité française une splendeur, une consécration nouvelle;--sous la forme d'un échafaud où monte Thomas Morus, parce qu'il n'avait pas voulu donner l'autorité de son nom à une action ignominieuse,--sous la forme de la guillotine enfin, le dernier mot de la science de bourreau, et par où sont passés Bailly, Danton, Chénier, Mme Rolland, Vergniaud, la vertu, le dévouement, la science, l'éloquence, la poésie, le génie.

Il y a un an et demi, le peuple de Paris était réuni sur une place publique et contemplait la statue que l'on venait d'élever au héros que la restauration, que la réaction de 1815 avait immolé comme un traître; c'était la statue du maréchal Ney. Cet homme avait été fusillé parce qu'il n'avait pu s'empêcher d'être fidèle au génie qui l'avait pris, enfant et l'avait fait homme, au drapeau qu'il avait aidé à faire flotter, triomphant, sur presque toute les capitales de l'Europe.

Il n'est pas nécessaire cependant d'aller chercher ailleurs des exemples de cette sorte; nous en avons malheureusement au milieu de nous; nous avons les années de 1837-38 qui peuvent nous faire toucher du doigt ce que peut être souvent la justice pour les crimes politiques. Et lorsque je parle de ce temps, ce n'est pas pour réveiller une époque pleine de scènes émouvantes, des passions peut-être mal éteintes, jeter à la face d'un parti des accusations de cruauté, de cupidité, de vengeance,--rendre plus profonde la scission qui pourrait exister avec les hommes de cette époque et leurs idées; je veux, au contraire, tendre à détruire une loi qui ne peut que nous éloigner les uns des autres, et faire obstacle aux sentiments de fraternité qui doivent exister entre nous. Qu'il me suffise de dire qu'il y a un an ou à-peu-près, un comité fut formé à Montréal appelant le peuple de ce pays à souscrire des sommes d'argent pour ériger des monuments à la mémoire des victimes politiques de cette époque. L'hon. commissaire des travaux publics faisait lui-même adopter à une assemblée tenue dans une des paroisses de son comté une résolution à cet effet. L'hon. commissaire des terres apposait son nom sur une liste de souscriptions qui circulait dans Québec au sujet de ce monument. Des personnes qui avaient compté parmi les plus dévoués conservateurs de ce temps approuvaient cette

démarche et étaient prêt((e))s à souscrire généralement. Pourquoi donc une pareille réhabilitation après un pareil jugement?--Tuer un homme aujourd'hui, essayer de flétrir sa mémoire et le lendemain mettre une couronne sur la tête de ce supplicié? --C'est qu'au-dessus de la justice humaine, de la justice d'un moment, de celle qui part des passions et des vengeances politiques, il en est une autre vraie, souveraine, éternelle que le temps finit toujours par consacrer et faire briller aux yeux des populations;--il est une justice qui décide, arrive assez vite parfois pour jeter dans l'âme de certains juges de pénibles souvenirs, pour faire traverser leurs moments de méditations solitaires par de sombres et de sanglantes apparitions;--c'est que dans le sens de cette justice qui rayonne aujourd'hui, comme une auréole au front de ceux que le bourreau immolait en 1837-38, c'est que dans le sens de cette justice, ces hommes, loin d'être des coupables, ne furent pas que des martyrs.

Ces hommes distingués, ces citoyens grands par le coeur et par la raison, avaient entrepris de réformer notre pays, de relever notre nationalité des insultes et des outrages qu'elle subissait depuis la conquête. Ils s'étaient dit qu'il n'était que juste après tout que cette poignée d'hommes, de Français que le flot avait jetés sur notre plage et qui étaient parvenus à coloniser, à élever peu-à-peu, à faire sortir des forêts vierges, les villages, bourgs, villes et cités de la Nouvelle-France, eussent après la conquête, leur part égale de droits et de puissance sur ce sol du Nouveau-Monde qu'ils avaient arrosé de leurs sueurs et de leur sang. Animés de cette idée, ces hommes s'étaient mis à l'oeuvre, au travail, et s'apercevant que le peuple, par le fait de ses maîtres, de ses oppresseurs, était tombé dans l'apathie, se trouvait presque nul dans le commerce, l'industrie, la politique, incapable, pour ainsi dire, d'imprimer un mouvement fort à une idée de salut, à une pensée de rédemption, entreprirent de le régénérer, de souffler sur ce peuple, espèce de statue, le feu, l'inspiration, le sentiment des grandes choses, d'exalter son âme en lui montrant un avenir meilleur, en déchirant le voile qui couvrait comme les figures des belles femmes antiques, la face de la liberté. L'autorité, alors souveraine, tendait à détruire nos usages, nos lois, notre langue, effacer autant que possible les traits ca((rac))téristiques de la nationalité française, nous transformer à l'image des conjurés, cette nationalité sur des bases plus stables, s'en servir comme d'un moyen puissant, conserver les bonnes et légitimes traditions, développer l'esprit de liberté en combattant l'oligarchie qui voulait nous mutiler à son profit, à développer cet esprit de liberté généreusement, sans distinction d'origine, de partie, de croyances, à être, non pas Français, Irlandais, Anglais ou Ecossais, mais Canadiens avant tout, en donnant pour but à nos labeurs la prospérité et la grandeur de notre commune patrie!

On sait que ces hommes tombèrent en route devant la justice expéditive de cette époque, devant des passions et des haines ardentes.... Je me tairai maintenant sur ces faits, sur ce temps, en ajoutant seulement pour dernier mot qu'en tuant ces hommes, on croyait détruire leurs idées, leurs projets de réforme, mais au contraire on leur donnait de nouveaux défenseurs, de nouveaux apôtres qui ont combattu depuis, vaillamment dans des luttes constitutionnelles pour plusieurs de ces réformes, entre autres, pour celle de l'élection du conseil législatif qui est emportée aujourd'hui par ceux qui y étaient le plus opposés alors, qu'enfin il était heureusement donné à notre époque de faire passer dans nos lois ces principes qui valaient l'échafaud en 1837 et 38 et qui ne sont aujourd'hui que des principes d'ordre et méritent une légitime popularité!

Ainsi va la justice humaine, mais aussi voilà comment passe la justice des siècles!

En terminant, M. l'Orateur, je dois dire que, tout en respectant l'opinion de chacun des honorables membres de cette chambre, je ne comprendrais pas comment,

devant ces erreurs irrémédiables et sanglantes, devant ces contrastes que le temps apporte, suivant le triomphe ou la défaite des partis, on pourrait continuer d'accepter cette loi de destruction qui pourrait bien servir encore, qu'on y prenne garde, dans un avenir qui ne serait pas éloigné pour des événements imprévus que je prie la Providence d'épargner à notre société. D'ailleurs, situés comme nous le sommes, en dehors des passions et des vices qui fourmillent au sein des vieilles et populeuses cités européennes, et que l'ignorance et la misère entretiennent, nous n'avons pas à craindre des catastrophes qui arriveraient aussi bien si l'échafaud existait; nous sommes jeunes, nos moeurs sont pures et pleines de mansuétude, nos sentiments miséricordieux; nous sommes des enfants de ce Nouveau-Monde où tout marche vite, où le perfectionnement social et intellectuel s'opère rapidement et s'équilibre sans effort, sans commotion, notre devoir est donc, je le crois du moins, de suivre ce courant, de laisser de côté le passé, lorsque ce passé c'est la mort, pour prendre de l'avenir ce qui est le progrès modéré, ce qui est l'existence féconde, ce qui est le respect profond pour la vie humaine. Et s'il est vrai, comme le disent les honorables membres de l'administration, que nous jouissons de la plus grande somme de la liberté possible, j'espère qu'ils voudront bien accepter cette pensée de Montesquieu qui dit--que là où la liberté existe, les pénalités sont douces, tant la liberté et la charité sont soeurs dans les plans de la Providence!⁵

MR. T. FORTIER (de Nicolet) dit qu'il partage les opinions de l'hon. membre pour Saguenay jusqu'à un certain point, mais pas en tout. La peine de mort devrait être abolie pour les crimes politiques, mais non pour les offenses criminelles contre les individus ou la société. L'assassin, par exemple, doit être puni de mort, parce que s'il est enfermé dans un pénitencier pour la vie, il peut parvenir à s'échapper et renouveler ses crimes, tandis que s'il est puni de mort la société ne court plus se (sic) danger.⁶

MR. MARCHILDON opposed the resolution⁷.

MR. A. DORION (de Montréal) sent toute l'importance de cette question, et se réjouit que l'hon. membre pour Saguenay l'ait amenée devant la chambre. Il concourt dans les opinions qu'il a émises, non seulement quant aux offenses politiques, mais pour tous les crimes. L'application de la peine de mort n'est plus essentielle pour protéger la société contre les criminels, et elle ne peut être d'aucune utilité quand il y a d'autres moyens de réprimer et de punir les crimes. Aujourd'hui ces moyens ont été trouvés, et on peut, sans aucun danger pour la société, abolir la peine de mort pour toutes les offenses. Notre état de société est maintenant assez avancé pour nous permettre de réprimer le crime efficacement par la réclusion, et il faut que la peine capitale soit abolie. Il est convaincu que l'opinion publique est en faveur de l'abolition de la peine de mort, car depuis long-tems cette question a été agitée, et elle a été favorablement accueillie par l'opinion publique. Il regrette seulement que cette question soit venue à une époque aussi avancée de la session parce qu'il sera difficile d'attirer l'attention des membres sur cette question comme elle devrait l'être et comme son importance mérite qu'elle le soit; mais il espère que si cette première tentative ne réussît pas comme il le désirerait, elle sera renouvelée dans une autre session, et qu'elle recevra alors une solution favorable. La peine de mort n'atteint pas le but pour lequel elle est maintenue, car pour un véritable criminel qui est puni, il y a cinq ou six innocents qui sont juridiquement tués, et ce crime légal est irrémédiable; tandis que par la réclusion perpétuelle, un homme qui serait emprisonné tout en étant innocent, aurait la chance d'être réhabilité un jour et d'obtenir justice. La dernière exécution

capitale dans le Bas-Canada, il y a cinq ans, a été appliquée sur un innocent, et il serait facile de citer un grand nombre de cas semblables, car la justice humaine est loin d'être infaillible. Si au lieu d'être tué, cet homme eût été enfermé au pénitencier, lorsque son innocence a été découverte, on aurait pu réparer l'injustice commise à son égard; mais il était mort, et il n'y avait plus de remède. L'application de la peine de mort est une mauvaise école pour la société, car le spectacle odieux de l'échafaud ou de l'effusion du sang n'est propre qu'à démoraliser la population, tandis qu'il ne fait aucune bonne impression sur l'âme de criminel. Il espère donc que cette question continuera à être agitée, et qu'elle recevra bientôt une solution favorable.⁸

MR. TURCOTTE pense que la session est maintenant trop avancée pour permettre de discuter une question aussi grave comme elle mérite de l'être. Il prie donc l'hon. membre de la retirer pour le moment, pour la présenter de nouveau au commencement de la prochaine session, afin qu'elle puisse alors être discutée à fond.⁹

MR. LORANGER partage toutes les opinions de l'hon. membre, pour Saguenay, (M. Huot), et c'est pour cela qu'il a secondé sa résolution; mais il pense en même temps qu'il est maintenant trop tard pour la discuter, et il espère qu'il voudra bien la retirer pour le moment.¹⁰

MR. AT. GEN. J.A. MACDONALD hoped the hon. gentleman would withdraw his motion, as even were it carried, it would be impossible to take action on it at this late period of the session.¹¹ Besides, to pass a resolution without altering the law, would be to embarrass the Government, Courts, and Juries in the discharge of their duty respecting capital offences.¹²

MR. PAPIN et MR. J. DORION (de Drummond) pensent qu'il n'est pas nécessaire de retirer la motion, parce que les opinions des membres doivent être bien formées sur la question, et on pourrait fort bien prendre un vote sur la résolution sans la discuter à fond. C'est le meilleur moyen d'amener la question devant le peuple et de la faire étudier, et la discussion pourra avoir lieu lors de la (sic) présentation du bill.¹³

MR. AT. GEN. DRUMMOND, while announcing himself firmly convinced of the correctness of Mr. Huot's views, yet¹⁴ did not think the House was prepared just now to enter on the consideration of so momentous a question. There was in the public mind a degree of apathy on the subject which he thought should induce them not to proceed with it at present. He had himself been for many years of the opinion that the penalty of death might be entirely abolished, but if it were, it would require to be under a very different system of penitentiary and prison discipline from what existed just now. Some years ago he had endeavoured to agitate the public mind on the subject, and found some disposed to give attention to it, but in a short time they lost sight of it, and instead of moving the public mind they entirely abandoned the question. But while such were his own personal feelings, he did not think that this was one of those questions which should be disposed of by the Legislature, unless there was a strong pressure proceeding from without. He thought the question might very well be left over till next session, when it might be freely discussed whether capital punishments might safely be abolished, or whether they were a necessary evil, which he faintly hoped they were not. One of the chief reasons which had influenced his views against the death punishment, was the fallibility of human judgement which might condemn the innocent to death, and an error of that kind could

never be rectified. He had always shuddered, when, as an instrument of the law, he had been compelled to aid in seeing that the extreme penalty of the law was carried into effect.¹⁵ Il espère donc que l'((h))on. membre retirera sa motion, et lorsque l'opinion publique se sera occupée du sujet, il sera tems de revenir ((sur)) cette résolution.¹⁶ The subject was of the very highest importance, and should not be taken up or passed upon lightly. The laws regulating imprisonment for crime must be revised at the same time.¹⁷

MR. MERRITT thought the hon. member for Saguenay (Huot) was entitled to very great credit for having brought this question forward. He was decidedly with him in his views, and had held those views for years, for he did not believe that the fear of punishment deterred men from committing crime. But at this late period of the session, he thought((t)) the hon. gentleman should withdraw his motion.¹⁸

MR. HARTMAN hoped he would not withdraw it. He was prepared to vote on it at once, having been for several years in favour of the views advocated by the hon. member for Saguenay (sic). The sooner the question was taken up by the country the better.¹⁹

MR. BROWN hoped the hon. gentleman would not press his resolutions. It placed the House in a very awkward position to compel them to vote on so important a question, when it was only possible to give it a single hour's discussion. If a vote were taken, however, he should vote against the motion, being satisfied after some enquiry into the effect of punishment on criminals that it would be impossible without the penalty of death to obtain any influence over the fears of a certain class of criminals.²⁰

MR. BELLINGHAM ... ((spoke)) in favor of continuing the punishment of death in certain cases.²¹

MR. HINCKS said it would have a most mischievous effect to obtain an expression of the opinion of one branch of the Legislature in favour of the abolition of the death penalty, when it would be impossible, if that were obtained, to found upon it a law at that stage of the session. The question ought to be postponed till next session when it could be fully discussed.²²

MR. J.S. MACDONALD (Glengary) said his mind was fully made up on the subject, that it would be most unwise to do away with capital punishments.²³

MR. HUOT persiste à ... mettre ((la motion)) aux voix, parce qu'il ne s'agit pas maintenant de passer une loi abolissant la peine de mort, mais seulement d'adopter des résolutions exprimant l'opinion de la chambre.²⁴

MR. AT. GEN. DRUMMOND moved the previous question.²⁵

MR. SICOTTE the SPEAKER explained that, if the previous question was carried in the affirmative, the resolutions of Mr. Huot would be put to the House, and voted on, without amendment or debate. If the previous question was decided in the negative, the resolutions fell to the ground.²⁶

A vote being taken, the previous question was carried in the negative²⁷.

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The Honorable Mr. Attorney General Drummond moved, seconded by the Honorable Mr. Attorney General Macdonald, and the previous Question being put, That that Question be now put; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Biggar, Bourassa, Church, Cooke, Charles Daoust, Darche, DeLong, Jean B.E. Dorion, Antoine A. Dorion, Dufresne, Frazer, Gould, Hartman, Holton, Huot, Jackson, Jobin, Labelle, Lemieux, Merritt, Papin, Pouliot, Prévost, and Valois.-- (21.)

NAYS.

Messieurs Aikins, Alleyn, Bell, Bellingham, Blanchet, Bowes, Brodeur, Brown, Burton, Cameron, Cartier, Casault, Cauchon, Cayley, Chapais, Chisholm, Christie, Clarke, Cook, Crysler, Jean B. Daoust, Desaulniers, Dewitt, Dionne, Attorney General Drummond, Felton, Ferres, Ferrie, Foley, Thomas Fortier, Fournier, Galt, Gamble, Gill, Guévremont, Hincks, LeBoutillier, Loranger, Lumsden, Macbeth, John S. Macdonald, Attorney General Macdonald, Roderick McDonald, Sir A.N. MacNab, McCann, Marchildon, Masson, Matheson, Neagher, Joseph C. Morrison, Angus Morrison, Munro, Patrick, Poulin, Rankin, Rhodes, Robinson, Roblin, Solicitor General Ross, James Ross, Sanborn, Scatcherd, Shaw, Solicitor General Smith, James Smith, Somerville, Southwick, Spence, Stevenson, Thibaudeau, Turcotte, Whitney, and Wright.--(75.)

So it passed in the Negative.

Sur motion de MR. PAPIN, 28

(1006)

Ordered, That the several Petitions praying for amendments to the Seigniorial Act of 1854, be referred to the Committee of the whole House on the Bill to amend the Seigniorial Tenure Act of 1854.

Mr. Laberge, from the Select Committee appointed to try and determine the matter of the Petition complaining of an undue Election and Return for the County of Montmagny, informed the House, That the Committee had determined,

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That no Poll was held in the Township of Armagh, and that it does not appear that such Poll should have been held.

That it appears from the Poll-book of the Parish of St. Pierre, that the Poll was adjourned from the hour of twelve at noon to the hour of two in the afternoon, on the first day of the voting, with the written consent of the Agents of both Candidates: That such adjournment was in violation of the Statute; but it does not appear that the Election was affected in its results by such adjournment.

That it is in evidence that the Poll was adjourned in the Parish of St. François from the hour of twelve at noon to the hour of one in the afternoon, on the first and second days of polling, the Candidates' Agents being assenting parties thereto; but it does not appear that the Election was affected in its results by such adjournment.

That the Clock by which the Deputy Returning Officer regulated the time of opening and closing the Poll in the Parish of St. François, was advanced about the hour of four in the afternoon, on the second day of polling: That the evidence

conflicts as to the suspension of the votation consequent thereon; but that during such delay two votes are proved to have been recorded.

That such delay occupied from five to sixteen minutes; but that it is not proved that any Elector was refused the privilege of recording his vote during that time, and that the result of the election was not affected thereby.

That Napoléon Casault, Esquire, the Sitting Member for the County of Montmagny, is duly elected and returned as a Member to represent the said County in the Legislative Assembly of this Province.

That neither the Petition of Télesphore Fournier, Esquire, nor the defence of the said Napoléon Casault, Esquire, are, in the opinion of the Committee, frivolous or vexatious.

The Honorable Mr. Chauveau moved, seconded by Mr. Dufresne, and the Question being put, That the Petition of J.C. Chapais, Esquire; the Petition of Auguste Morin and others, of the District of Kamouraska; and the Petition of Luc Letellier, Esquire, of the Parish of La Rivière Ouëlle, praying to be reimbursed certain expenses incurred in the contestation of the Kamouraska Election in 1852 and 1853, be referred to the Select Committee to which was referred the Petition of William Power, Esquire, of the City of Quebec, Circuit Judge; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bellingham, Blanchet, Casault, Chabot, Chauveau, Clarke, Daly, Jean B. Daoust, Desaulniers, Antoine A. Dorion, Dufresne, Ferres, Holton, Lumsden, Masson, Matheson, Meagher, Pouliot, Prévost, Scatcherd, Shaw, Thibaudeau, and Turcotte.--(23.)

NAYS.

Messieurs Alleyn, Bell, Bourassa, Bowes, Bureau, Cameron, Cartier, Cauchon, Church, Cook, Crysler, Darche, DeWitt, Jean B.E. Dorion, Dostaler, Attorney General Drummond, Freeman, Galt, Gamble, Gould, Hartman, Hincks, John S. Macdonald, Roderick McDonald, Sir A.N. MacNab, McCann, Papin, Patrick, Poulin, Robinson, Roblin, James Ross, Solicitor General Smith, James Smith, Somerville, Spence, and Stevenson.--(37.)

(1008)

So it passed in the Negative.

Mr. Bellingham moved, seconded by Mr. Fergusson, and the Question being put, That an humble Address be presented to His Excellency the Governor General, for copies of all Correspondence and other Documents relating to the disposal of the appropriation by the Legislature in 1853, of Two thousand pounds currency, for the relief of the Sufferers by the Fires on the Ottawa; the House divided:--And it passed in the Negative.

MR. J. DAOUST propose que la chambre se forme en comité pour prendre en considération la convenance de présenter une humble adresse à son excellence le gouverneur général, le priant de vouloir bien recommander à cette chambre qu'une somme de 7957L 7s. 7d. soit votée pour payer les cent-sept personnes dans les différentes parties du Bas-Canada, tel qu'il appert dans un rapport du 17 janvier 1852, par les commissaires nommés en vertu de l'acte 12 Vict., chap. 58.

Il espère que personne ne s'opposera à cette motion, parce qu'elle est faite dans le but de rendre justice à des personnes qui ont réellement souffert de grandes pertes lors de la rébellion de 1837-38, et qui n'ont pu obtenir l'indemnité à laquelle elles avaient droit en vertu de la loi. Les commissaires nommés pour payer les réclamations, n'avaient pas le droit de faire de distinction entre les réclamants, et pourtant ils ont pris sur eux d'en exclure un certain nombre sans aucune raison plausible pour en agir ainsi. Il espère donc que la chambre rendra justice à ces personnes injustement exclues, et qu'elle ordonnera de leur payer l'indemnité à laquelle elles ont droit.²⁹

MR. AT. GEN. DRUMMOND regrette d'avoir à s'opposer à cette motion, mais son devoir de ministre l'oblige de le faire. Il s'agit par cette motion de mettre au néant le jugement prononcé par les commissaires nommés par le gouvernement pour décider quel était le montant dû aux personnes qui ont souffert des pertes durant la rébellion de 1837-38. Ces commissaires, après avoir consacré un tems peut-être trop long à l'examen de ces réclamations, ont fait leur rapport et ont cru devoir exclure un certain nombre de réclamants. Aujourd'hui, la chambre, ni le gouvernement, ne peuvent revenir sur un jugement, pas plus qu'on ne peut revenir sur un jugement prononcé par les tribunaux ordinaires. Les commissaires avaient le droit d'entendre des témoignages; ils se sont peut-être trompés dans leur jugement, mais cela arrive à tout le monde, et on ne peut pas changer ce jugement. Ceux qui ont souffert par le jugement prononcé par les commissaires, pouvaient faire contrôler ce jugement par les tribunaux ordinaires et le faire renverser, et s'ils ne l'ont pas fait tant pis pour eux. D'ailleurs, cette même question est déjà venue devant la chambre il y a deux ans, et elle a été rejetée, de sorte qu'il est inutile d'y revenir aujourd'hui. Il espère donc que la chambre ne renversera pas le jugement de ces commissaires, parce que tous ceux qui seraient lésés par les décisions des tribunaux judiciaires viendraient devant la chambre et lui demanderaient de s'ériger en cour d'appel.³⁰

DR. MASSON pense que les personnes exclues devraient obtenir justice et être indemnisées des pertes qu'elles ont souffertes; mais en même tems il croit que ceux qui ont été déportés aux Bermudes devraient aussi être indemnisés des pertes qu'ils ont subies. Pour lui, il était de ce nombre, et il croit avoir autant de titres à l'indemnité que tous ceux qui ont été payés. Lorsqu'il était aux Bermudes, il était obligé de vivre à ses dépens, et il a aussi été obligé de payer son passage pour revenir au Canada; tandis que c'est le gouvernement qui l'exilait qui devait payer toutes ces dépenses. Puisqu'ils ont été graciés, ils ont droit à l'indemnité tout comme les autres.³¹

MR. PAPIN se déclare en faveur de la motion, mais en même tems il doit dire aux hon. membres pour Deux-Montagnes et Soulanges (MM. Daoust et Masson), qu'il croit que le gouvernement du jour, qu'ils supportent, est bien le dernier auquel ils devraient s'adresser pour obtenir ce qu'ils demandent aujourd'hui.³²

MR. BOURASSA dit qu'il espère que le gouvernement ne refusera pas de rendre justice à ces personnes, parce qu'elles méritent l'indemnité dont elles ont été frustrées sans cause légitime. Il a été témoin, en 1837-38 des scènes qui se sont passées dans plusieurs paroisses de son comté; il a vu des familles entières, sans distinction d'âge ni de sexe, mises hors de leurs maisons par les volontaires, au milieu de la nuit, sur la neige et par un froid rigoureux, sans qu'on leur eût même donné le tems de se vêtir, et ensuite la maison était pillée et détruite par

l'incendie. Pourtant ces familles étaient paisibles et n'avaient pris aucune part active dans la rébellion; et lorsque les commissaires ont été appelés à leur payer l'indemnité, ils ont rejeté leurs réclamations parce que des voisins haineux ou envieux avaient dit aux commissaires qu'elles avaient pris part aux troubles. Il serait injuste de la part du gouvernement de ratifier un jugement aussi injuste, car les commissaires n'avaient le droit d'exclure personne, et ceux qui ont souffert des pertes doivent en être indemnisés.³³

MR. BELLINGHAM dit que les rebelles de 1837-38 ne doivent pas être indemnisés par le gouvernement provincial, mais bien par le gouvernement impérial, parce que ce sont les troupes de sa majesté qui ont détruit les propriétés. Il en a été témoin lui-même, parce qu'il faisait alors partie du corps de volontaires, et il a vu les troupes régulières mettre le feu aux propriétés et piller. Il pense donc que si les personnes qui ont souffert les pertes dans le tems on droit à une indemnité, elle doit être payée par le gouvernement impérial.³⁴

MR. A. DORION (de Montréal) pense contrairement à l'opinion exprimée par l'hon. procureur-général (M. Drummond), que les commissaires nommés en vertu de l'acte d'indemnité ne devraient pas agir comme juges sur le mérite des réclamations, mais seulement comme évaluateurs et pour faire rapport. Il est admis par tout le monde que les plus grandes inju((s))tices ont été commises par les commissaires, et qu'ils ont fait un rapport extrêmement partial. Ils ont exclu les plus pauvres, mais personne ne devrait être exclu. Presque toutes les propriétés détruites l'ont été là où il n'y avait aucun trouble, aucune excitation, et par conséquent elles ont été brûlées sans nécessité. Le gouvernement doit donc indemniser ces personnes, car les commissaires n'avaient pas le droit de faire de distinction. Leur rapport a été une grande injustice, pour ne pas dire une grande iniquité, et il n'a été adopté que par trois d'entre eux, sur cinq qu'ils étaient. Il espère donc que la chambre rendra justice à ceux qui y ont droit, car le fait que l'injustice a été commise n'est pas une raison pour maintenir cette injustice; au contraire, il faut la réparer puisqu'on le peut encore.³⁵

MR. FERRES thought it fortunate that this matter could be discussed calmly now, and that the animosities of 1849 had been forgotten.³⁶ ((Il)) a désapprouvé le bill d'indemnité; mais aussitôt que la loi a été passé((e)) son opposition a cessé, et il pense que l'indemnité devait être payée à tous indistinctement, pourvu que les pertes fussent prouvées. S'il reste quelque balance du fonds d'indemnité, elle devrait être distribuée entre ceux qui ont souffert des pertes et qui ont été exclus.

Les commissaires n'avaient pas le droit de faire de distinction entre les réclamans, et ils n'ont agi comme ils l'ont fait que sur les instructions du gouvernement ...³⁷⁻⁻

MR. AT. GEN. DRUMMOND.--Les commissaires n'ont reçu aucune instruction du gouvernement; ils devaient se conduire d'après la loi; et voilà tout.³⁸

MR. FERRES répète qu'il croit que les commissaires ont reçu des instructions de la part du gouvernement, car l'un d'eux le lui a dit; mais il ne sait pas si elles étaient verbales ou écrites. Dans tous les cas il est notoire que les commissaires ont exclu des réclamans sous prétexte qu'ils avaient pris part à la rébellion, et c'était là une grave injustice, car la loi ne faisait aucune distinction et n'autorisait pas les commissaires à en faire ni à s'enquérir de la conduite des réclamans

dans les troubles. S'ils l'ont fait, il faut donc qu'ils aient reçu instruction de le faire de la part du gouvernement. Il espère donc que justice sera faite, et que la chambre renversera le jugement des commissaires.³⁹

MR. BUREAU se déclare en faveur de la motion et flétrit la conduite des commissaires, et particulièrement de M. Jacques Viger.⁴⁰

Six heures sonnèrent pendant qu'ils (sic) parlait, et la chambre s'ajourne à lundi sans prendre de vote sur la question, qui se trouve être le premier avis de motion.⁴¹

(1008)

Mr. Jean Baptiste Daoust moved, seconded by Mr. Bureau, and the Question being proposed, That this House will resolve itself into a Committee to take into consideration an humble Address to His Excellency the Governor General, praying him to be pleased to recommend to this House that a sum of Seven thousand nine hundred and fifty-seven pounds seven shillings and seven pence,⁴² be voted for the payment of the one hundred and seven persons in different parts of Lower Canada, referred to in a Report made on the 17th January, 1852, by the Commissioners appointed under the Act 12 Vic. cap. 58;

And it being Six o'clock, Mr. Speaker adjourned the House until Monday next; without putting the Question.

((NOTICE OF QUESTION RE: GRANTS TO MILITIA MEN IN WAR OF 1812.))

MR. HUOT inquired of the Ministry why the grants to the Militia men wounded in Canada, in the year 1812, and by their wounds rendered unable to earn their living, have not been distributed among them.⁴³

MR. AT. GEN. DRUMMOND said, all the cases were being investigated; in all cases of just claims those claims would be settled.⁴⁴

((WITHDRAWN MOTION RE: ACCOMMODATION FOR EMIGRANTS.))

MR. A. DORION (Montreal) moved a series of resolutions whereon to found an Address to His Excellency, relative to the adoption of measures for the accommodation of Emigrants passing through this Province. He explained that his object was to provide places near the Cities of Quebec, Montreal, Kingston, Toronto, and Hamilton, where ships and steamboats could conveniently discharge their emigrant passengers, and where the emigrants might find a shelter during the 12 or 24 hours which might elapse before they found another conveyance to take them on towards their destination.⁴⁵ ((This)) was to secure them a resting-place apart from the heat and dust and crowded lodging houses of the city after the fatigues of the voyage, where they might repose and clean themselves, and the sick among them might recover their health. In 1847, during the prevalence of the typhus fever, sheds were erected for the purpose at Point St. Charles, but these had since been disposed of by the Government to the Grand Trunk Railway Company. Now emigrants landed in the city inself (sic)--crowding into crowded hotels and lodging houses, where they paid but for poor accommodation money they could ill afford to part with--bringing disease, perhaps, with them, or becoming exposed to any disease that might be prevalent at the time. Since he had given notice of his motion, he had read the report of the Chief Emigration Agent, and he was happy to see he made a similar recommendation, but that was confined to Quebec alone. He thought that such a resting-place, with cemetery and hospital, should be provided at ports farther up the river.⁴⁶

MR. PRES. EX. COUN. MACNAB said the matter had received the careful attention of the Government, and he believed the arrangements in contemplation would be satisfactory to the hon. and learned member.⁴⁷

MR. J.S. MACDONALD was glad the matter had been brought up. At the mouth of the Cornwall Canal and other points up the river by the arrival of numbers of emigrants with contagious diseases, some of whom were left dead, or dying without shelter, the care of these devolved on the Municipal authorities and the local Board of Health, and they had been unable to get a reimbursement of the expenses incurred, from the government which should have repaid them.⁴⁸

MR. ROBINSON thought it would be unwise to provide sheds on the wharves at all these landing places. Such sheds for the protection of the healthy emigrants, on the wharves in Montreal in 1847⁴⁹ ((OR)) 1848⁵⁰ had found an inducement to them to stay there and not pursue their journey as they should do. They gathered disorderly people of the city about them, and the chief agent had to come up and put and (sic) end to it, to such a height did the abuse grow.⁵¹

MR. A. DORION did not propose such sheds, but some place apart from the town but of easy access to steamers.⁵²

MR. ROBINSON thought that would be too troublesome and expensive for the emigrants themselves.⁵³

The motion was then withdrawn.⁵⁴

((COMMITTEE OF THE WHOLE ORDERED RE: ADDRESS FOR PAYMENT TO W.L. MACKENZIE.))

An order was issued to go into committee of the whole on Monday,⁵⁵ to consider an address to His Excellency, for the payment to W.L. Mackenzie of the interest on his Welland Canal claim and the balance of his claim for balance of expenses while in England, both claims having been audited and admitted by Committees appointed by the Legislative Assembly at the time the services were performed.⁵⁶

FOOTNOTES: 5 MAY 1855.

1. LA MINERVE, 12 May 1855.
2. LE PAYS, 12 May 1855.
3. LA MINERVE, 12 May 1855.
4. IBID.
5. LE PAYS, 12 May 1855.
6. IBID.
7. GLOBE, 16 May 1855. Mr. Marchildon's remark was inserted here even though it is unclear when he spoke exactly. The same uncertainty applies to the subsequent speakers, as each newspaper carries a different list of members who addressed the House during this debate.
8. LE PAYS, 15 May 1855.
9. IBID.
10. IBID.
11. GLOBE, 16 May 1855.
12. MORNING CHRONICLE, 15 May 1855. This newspaper reports that this opinion was expressed by Mr. At. Gen. J.A. Macdonald and also by Mr. Brown.
13. LE PAYS, 15 May 1855.
14. MORNING CHRONICLE, 15 May 1855.
15. GLOBE, 16 May 1855.
16. LE PAYS, 15 May 1855.
17. MORNING CHRONICLE, 15 May 1855.
18. GLOBE, 16 May 1855.
19. IBID.
20. IBID.
21. MORNING CHRONICLE, 15 May 1855.
22. GLOBE, 16 May 1855.
23. IBID.
24. LE PAYS, 15 May 1855.
25. GLOBE, 16 May 1855.
26. IBID.
27. IBID.
28. LE PAYS, 12 May 1855.
29. LE PAYS, 15 May 1855. MONTREAL GAZETTE, 10 May 1855, and MORNING CHRONICLE, 15 May 1855, which carry the same reports, include the following information: "Mr. Daoust (of Two Mountains) moved the resolutions of which he had given notice, for an address to request payment by the Government of the claims rejected by the Commissioners under the Rebellion Losses Act" (Act 12 Vic., cap. 58).
30. LE PAYS, 15 May 1855.
31. IBID.
32. IBID.
33. IBID.
34. IBID.
35. IBID.
36. MONTREAL GAZETTE, 10 May 1855.
37. LE PAYS, 15 May 1855. The ellipsis appears in LE PAYS, 15 May 1855.
38. LE PAYS, 15 May 1855.
39. IBID.
40. IBID.
41. IBID.

42. Several newspapers differ from the JOURNALS in reporting this sum. GLOBE, 16 May 1855, and MORNING CHRONICLE, 7 May 1855, mention 7,957L 9s 1d, while Telegraph (TORONTO DAILY LEADER, 7 May 1855) writes 7,927L 9s 1d.
43. Telegraph (TORONTO DAILY LEADER, 7 May 1855).
44. IBID.
45. GLOBE, 16 May 1855.
46. MONTREAL GAZETTE, 10 May 1855.
47. IBID.
48. IBID.
49. IBID.
50. MORNING CHRONICLE, 15 May 1855.
51. MONTREAL GAZETTE, 10 May 1855.
52. IBID.
53. IBID.
54. IBID.
55. Telegraph (TORONTO DAILY LEADER, 7 May 1855).
56. MORNING CHRONICLE, 7 May 1855. Several newspapers report that this item was ordered on this day (Saturday, 5 May 1855.) However, the JOURNALS make no account of it. A motion for this Address was withdrawn on Thursday, 15 March 1855. The order seems to have subsequently been dropped, as this matter does not come up again in the JOURNALS for the present session.

MONDAY, 7 MAY 1855.

(1008)

MR. Speaker acquainted the House, That the Clerk of this House had received from the Clerk of the Crown in Chancery the following Certificate:--

Province of Canada.

This is to certify, that in virtue of a Writ of Election, dated the 24th February last past, issued by His Excellency the Governor General, and addressed to the Registrar of the Second Division of the County of Saguenay, Ovide Bossé, Esquire, Returning Officer *ex-officio* for the United Counties of Chicoutimi and Tadoussac, for the election of a Member to represent the said United Counties of Chicoutimi and Tadoussac in the Legislative Assembly of this Province, in the present Parliament, in the room of Augustin Norbert Morin, Esquire, who, since his election as the Representative of the said United Counties of Chicoutimi and Tadoussac, had accepted an Office of profit under the Crown, to wit: the Office of Puisne Judge of the Superior Court of Lower Canada, by means whereof the seat of the said Augustin Norbert Morin, Esquire, as the Representative of the said United Counties of Chicoutimi and Tadoussac, had become vacant, David Edward Price, Esquire, has been returned as duly elected accordingly, as appears by the Return to the said Writ of Election dated the twenty-sixth day of April last past, which is now lodged of record in my Office.

Office of the Clerk of the Crown in Chancery,
Quebec, 7th May, 1855,

Félix Fortier,
Clerk of the Crown in Chancery.

William B. Lindsay, Esquire,
Clerk, Legislative Assembly.

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Mr. Speaker laid before the House,--Statement of the affairs of the Montreal Firemen's Benevolent Association, for the year ending 31st December, 1854.

For the said Statement, see Appendix (A.A.)

The following Petitions were severally brought up, and laid on the table:--

By Mr. Patrick,--The Petition of Robert Mager and others, of the Township of South Gower.

By Mr. Southwick,--The Petition of F.W. Atkins and others, Bailiffs of Division Courts, County of Elgin.

By Mr. Desaulniers,--The Petition of Joseph Lacerte and others, of the Parish of Yamachiche.

By the Honorable Mr. Cameron,--Two Petitions of the Mayor, Aldermen, and Commonalty of the City of Toronto.

By Mr. Jean Baptiste Eric Dorion,--The Petition of A. Stein and others, of the Parish of St. Christophe d'Arthabaska.

By Mr. Hartman,--The Petition of the Reverend J.C. Osborn and others, of Lindsay, in the Township of Ops, County of Victoria; the Petition of J. Crawford and others, of the County of Haldimand; and the Petition of E.P. Whittemore and others, of the City of Toronto.

By Mr. Christie,--The Petition of William Kerr, of Galt, Medical Practitioner.

By Mr. Angus Morrison,--Two Petitions of the Municipal Council of the County of Grey.

By Mr. Holton,--The Petition of the Montreal Bank and other incorporated Banks.

By Mr. Church,--The Petition of the Municipality of the Township of Elizabeth-town.

By the Honorable Mr. Robinson,--The Petition of J. Jacob and others.

By Mr. Solicitor General Smith,--The Petition of Robert Blackburn and others, of the Township of Dawn and the Gore of Camden; the Petition of L.H. Johnston and others, of the Village of Wallaceburg and the Township of Sombra; the Petition of John Gunne and others, of the Township of Euphemia, County of Lambton; and the Petition of the Municipality of the Township of Euphemia.

By the Honorable Sir Allan N. MacNab,--The Petition of the Mayor, Aldermen, and Commonalty of the City of London.

By Mr. Rankin,--The Petition of J.H. Wilkinson and others, Clerks of Municipalities in the County of Essex; and the Petition of James Devlin and others, Town Clerks, of the County of Essex.

By Mr. Powell,--The Petition of George Brown, Esquire, and others, of the Town of Richmond.

By the Honorable Mr. Cayley,--The Petition of S.H. Rance and others, of the Townships of Hullet and Morris.

Pursuant to the Order of the day, the following Petitions were read:--

Of Edward Bull and others, of the United Counties of York and Peel; of S. Swinnarton and others, of the United Counties of York and Peel; and of James W. Campbell and others, of the Counties of Lincoln and Welland; praying that the discretionary power of commutation may not be exercised in carrying out the provisions of the Clergy Reserves Act.

Of M. Townsend and others, of the Seigniories of Noyan and Foucault; and of John Zoéger, Reeve, and others, of the Township of Wellesley; praying that a permanent Seat of Government may be established.

Of William McMachon and others, Bailiffs of the County of Waterloo; of William C. Osman and others, Bailiffs of the County of Haldimand; and of

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Daniel Costello and others, Bailiffs of the County of Brant; praying that their Tariff of Fees may be increased.

Of the Reverend J. Boucher, Curé, and others, School Commissioners for the Parish of St. David; praying for the passing of an Act to legalize a certain assessment and school rate made and fixed in the said School Municipality.

Sur motion de MR. J. DORION,¹

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Ordered, That the Petition of the Reverend N. Pelletier and others, of Stanfold; the Petition of George McGauran and others, of Warwick, in the County of Drummond; the Petition of William Moore and others, of Durham; the Petition of F. Pothier and others, of Kingsey; the Petition of A. Stein and others, of St. Christophe; the Petition of Noël Hébert and others, of St. Norbert d'Arthabaska; the Petition of J. Murphy and others, of the Township of Tingwick; the Petition of John Trenholm and others, of Trenholmville and neighbourhood; the Petition of A. Leighton and others, of South Durham, County of Drummond; the Petition of L.G. Marler and others, of the Parish of Drummondville; the Petition of Patrick McCabe, senior, and others, of Wickham, County of Drummond; and the Petition of J.E. Ferté and others, of the Village of L'Avenir, be referred to the Committee of the whole House on the Bill to amend the Imperial Act re-uniting the Provinces of Upper and Lower Canada.

MR. PRES. EX. COUN. MACNAB presented a report from the Railway Committee, and moved its adoption.²

MR. CHISHOLM said that before the report was adopted, he would like to say a few words for the information of the House with respect to the manner in which the business of the Railway Committee was conducted. The House re-assembled on the 23rd of February, but the Committee did not meet till the 19th of April. Immediately thereafter it was decided they should report resolutions to form the basis of a general railway law; but on the 21st the House was moved to suspend the rule with respect to the necessary delays, with regard to those bills at that time referred to the Committee. On the 25th the Vaudreuil Railway bill was under discussion, Sir A. McNab being in the chair. He being called away, it was announced by the Committee that they would not take up any other bill that day. So the parties watching for other bills left with the chairman. In the face of this pledge, however, after these parties had left, the Committee, with the hon. member for Renfrew in the chair, went through the list of orders, and in the absence of the parties representing their interests, placed all the other bills at the bottom of the list, and left the Great Western, Hamilton and Toronto, & the Simcoe, or Barrie batch³ ((OR)) switch,⁴ at the top, to be first proceeded with at the next meeting. These had been already reported to the House, and to-day an entirely new bill had been reported, prejudicial to the interests which he had desired to urge before the Committee. He had been entrusted by the people of Hamilton and others interested in the line projected from ((that)) city through the Southern Counties of the Peninsula of Upper Canada with their bill, but after seeing the manner in which business was conducted before that Committee, he begged to inform the hon. and gallant Knight representing that city, whose constituents had been most injured by the recent action of the Committee, that he must abandon their bill. After what had been done, he thought its success hopeless, and did not choose to be responsible for its destruction. He would leave that responsibility with the Committee. Any one who examined closely the composition of the Committee, and the interests represented there might be satisfied that those particular interests must prevail against all claims, however just, ... ((of)) other parties. He had heard much about the Railway Committee while he was only a looker on at the proceedings of the House, but had never had the curiosity to go ((to)) the Committee room to watch its proceedings. This session he had been obliged to be present at its deliberations, and he found that the accusations previously made against the Committee were quite will (sic) founded. How was the Committee formed?--Why, first they had the hon. and gallant Knight at the head of the Government as chairman--about whom he need say nothing more than that he was a steadfast friend of all the old railways, was president of one line and had been of another, and had announced the fact to the world that his politics were railways. Then the hon. member for Renfrew was President of the Woodstock and Lake Erie Company.⁵

MR. HINCKS.--No!⁶

MR. CHISHOLM.--Well, he had been then until very recently, and was ready to support anything that would bring grist to that and the Grand Trunk Mill. Then they had the member for Niagara President of the Northern Railway, and styled the member for the Port Dover.--There was the member for Brockville another Grand Trunk Railway man--the member for Victoria President of the Port Hope and Lindsay road. The ... member for Lincoln was President of the Port Dalhousie and Thor((o))ld Company. As for the hon. member for South Simcoe and the hon. member for Glengary he was not aware that they were mixed up with any schemes, but it was evident that the other

members had the power to crush any scheme whose interests conflicted with those lines in which they were personally interested. He thought it well that independent members of the House should know upon what footing they must appear to urge on their bills before this Committee.⁷

MR. FREEMAN ... stated that the proceedings of the Committee had been characterized by the greatest partiality, and that no railway project found favour with them, unless in some way or other it was subservient to the interests of the Grand Trunk or Great Western.⁸

MR. J.S. MACDONALD (Glengary) said that Mr. Cartier, and another member of the Railway Committee, were also connected with existing lines, in addition to those gentlemen mentioned by Mr. Chisholm.⁹

MR. HINCKS supposed the remarks of the hon. member for Glengarry were meant to sustain those of the member for Halton, though what the first named gentleman had to complain of was more than he could conceive, except it was that the Committee refused to sanction an attempt made to prevent the people of the north shore of Lake Erie from having a railroad which they very much required. It was said indeed that this road would take all the produce to the United States instead of bringing it to Hamilton, but the truth was that the great business expected to be done on the road was in the produce of the United States, and he could not see why Hamilton should have everything its own way to the detriment of other places; it was quite enough that produce had to go down the hill to Hamilton and then up again to get to Niagara.--No railway bill had been refused by the committee.¹⁰

MR. ROBINSON and MR. PRES. EX. COUN. MACNAB defended the proceedings of the Committee.¹¹

MR. MERRITT could conceive nothing more unjust than the conduct of the Railway Committee towards the whole Western country. Every county from Detroit to Niagara had petitioned for a line to connect those two rivers, and a bill had been drawn to give to one Company the right to make that link, with a communication to Hamilton. That plan was rejected by the Committee, and instead of giving it they hung on to a road from Niagara to Chippewa, and to another from Port Dover to Woodstock, so as to compel the people who were constructing the rest of the line to buy those two lines. And how did they accomplish this scheme? By allowing the Woodstock Company to extend from Dunnville to the suspension Bridge.¹²

MR. SICOTTE the SPEAKER said the hon. member was not keeping to the question.¹³

MR. J.S. MACDONALD (Glengary) believed no one could do anything on that Committee but those who were interested in the Great Western Railway or the Grand Trunk Railway.¹⁴ ((He)) wished to put a question of some importance to the hon. premier, and if he was not prepared to answer it now, he would give notice of a motion on the subject. The original capital of the Great Western Company was 1,500,000L, and they had received 50 per cent. or 750,000L of Provincial aid. But the whole road had cost 4 millions, and he understood that at present there was a dispute between the Company and the Government, whether they were entitled to 50 per cent. of Provincial aid on the whole cost of construction. He desired to know the opinion of the Government as to this.¹⁵

MR. PRES. EX. COUN. MACNAB said the intention of the Government was to carry out the law whatever it might be. They had already given 700,000L to the Great

Western, and whether they were entitled to more was a question to be determined by referring to the law of the land, with which the hon. member for Glengary was as well acquainted as he was himself.¹⁶ ((He)) had shown his desire to act justly to Hamilton by giving the proposition for allowing the Great Western to make a double track his best support; and he recommended his friend from Halton not to abandon the scheme in which he was interested, and which should have his (Sir Allan's) assistance though he would have to oppose some portions of it. As to the Southern Railway, he had opposed it all his life because he thought it better for the interests of the country to have a railroad passing through the heart of the territory; but the time might arrive when the people on the shore of Lake Erie would have a right to demand that road, and a large part of the plan had been recommended by the Railway Committee.¹⁷

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The Honorable Sir Allan N. MacNab, from the Standing Committee on Railroads, Canals, and Telegraph Lines, presented to the House the Seventeenth Report of the said Committee; which was read, as followeth:--

Your Committee have taken into their consideration the Bill to incorporate the Amherstburg and St. Thomas Railway Company, and have agreed to several amendments thereto, which they humbly submit for the adoption of Your Honorable House.

Your Committee have also considered the Bill to amend the Charter of the Woodstock and Lake Erie Railway and Harbour Company, and have taken evidence thereon, which they have the honor to report to Your Honorable House, and have agreed to certain amendments to the said Bill, which they humbly submit for the adoption of Your Honorable House.

The Honorable Mr. Cameron, from the Standing Committee on Miscellaneous Private Bills, presented to the House the Thirty-eighth Report of the said Committee; which was read, as followeth:--

Your Committee have examined the Bill to amend an Act for the incorporation of the Provincial Insurance Company of Toronto, and also the Bill to amend the Act incorporating the Metropolitan Gas and Water Company in the City of Toronto, and they have prepared certain amendments to each of the said Bills, which they beg to submit for the consideration of Your Honorable House.

In consideration of the present advanced period of the Session, and the necessity for affording sufficient time to Your Honorable House and to the Legislative Council, for a due consideration of the Bills remaining to be reported upon by Your Committee, they are induced to recommend to Your Honorable House that they be discharged from and after Thursday next. Should Your Honorable House concur in this recommendation, they would respectfully suggest a suspension of the 71st Rule with respect to such of the Bills referred to Your Committee on Thursday last, as come within the provisions of that Rule, and which otherwise cannot be taken into consideration until Friday next.

Ordered, That the Bill to amend the Act incorporating the Metropolitan Gas and Water Company in the City of Toronto, as reported from the Standing Committee on Miscellaneous Private Bills, be committed to a Committee of the whole House, for Thursday next.

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Ordered, That the Bill to amend the Act for the Incorporation of the Provincial Insurance Company of Toronto, as reported from the Standing Committee on

Miscellaneous Private Bills, be committed to a Committee of the whole House, for Thursday next.

Sur motion de MR. JOBIN,¹⁸

(1011)

Ordered, That the Return relative to the Seignior of Lanaudière, presented on the twenty-seventh ultimo, be printed for the use of the Members of this House.

Ordered, That the Bill to amend the Charter of the Woodstock and Lake Erie Railway and Harbour Company, as reported from the Standing Committee on Railroads, Canals, and Telegraph Lines, be committed to a Committee of the whole House, for Thursday next.

Ordered, That the Bill to incorporate the Amherstburg and St. Thomas Railway Company, as reported from the Standing Committee on Railroads, Canals, and Telegraph Lines, be committed to a Committee of the whole House, for Thursday next.

The Honorable Sir Allan N. MacNab reported from the Select Committee on the Bill to establish a College in the City of Hamilton, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Bill and Report be committed to a Committee of the whole House, for To-morrow.

On motion of the Honorable Mr. Cameron, seconded by Mr. Hartman,

Ordered, That the Standing Committee on Miscellaneous Private Bills be discharged from and after Thursday next, the tenth instant.

On motion of the Honorable Mr. Cauchon, seconded by Mr. Alleyn,

Ordered, That the Bill from the Legislative Council, intituled, "An Act to incorporate the Transatlantic Submarine Telegraph Company," be now read for the first time.

The Bill was accordingly read the first time; and ordered to be read a second time To-morrow.

On motion of the Honorable Mr. Cauchon, seconded by the Honorable Mr. Lemieux,

Ordered, That the Bill from the Legislative Council, intituled, "An Act for the protection of the Fisheries in Lower Canada," be now read for the first time.

The Bill was accordingly read the first time; and ordered to be read a second time To-morrow.

On motion of Mr. Laberge, seconded by Mr. Roderick McDonald,

Ordered, That the Minutes of the Proceedings of the Select Committee on the Montmagny Election Petition be laid before this House.

On motion of Mr. Langton, seconded by Mr. James Smith,

Resolved, That this House doth concur in the Fourth Report of the Joint Committee appointed by the Legislative Council and Legislative Assembly for the regulation and management of the Parliamentary Library.

On motion of Mr. Cook, seconded by Mr. Matheson,

Ordered, That the 71st Rule of this House be suspended as regards the Bill to

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divide the Township of Norwich into two separate Municipalities.

On motion of Mr. Alleyn, seconded by Mr. Bell,

Ordered, That the 71st Rule of this House be suspended as regards the Bill from the Legislative Council, intituled, "An Act to provide for an increase of the Capital Stock of the Quebec Gas Company;" the Bill to amend the Act incorporating the Quebec Fire Assurance Company, and to facilitate the management of the business of the said Company; and the Bill from the Legislative Council, intituled, "An Act to incorporate the Quebec Masonic Hall Association."

On motion of Mr. Jean Baptiste Eric Dorion, seconded by Mr. Bureau,

Ordered, That the 71st Rule of this House be suspended as regards the Bill to detach a certain part of the Township of Arthabaska from the District of Three Rivers and to annex it to the District of Quebec.

Sur motion de MR. ALLEYN,¹⁹

(1012)

Ordered, That the Bill to incorporate the St. Lawrence Assurance Company, as reported from the Standing Committee on Miscellaneous Private Bills, be committed to a Committee of the whole House, for Thursday next.

The House took up again the motion of²⁰ Mr. Daoust (Two Mountains)²¹ for a Committee of the whole to consider a resolution in favour of giving a sum of 7957L in payment of 107 persons residing in different parts of Lower Canada who had been excepted by the Commissioners of Rebellion Losses from compensation for their claims.²²

MR. BUREAU reprend la parole et dit que la question soumise à la chambre est de la plus haute importance, et qu'il faut lui donner la plus sérieuse considération. Il s'agit de savoir si les commissaires avaient le droit d'exclure quelqu'un de l'indemnité accordée aux personnes qui ont souffert quelques pertes en 1837-38, et qui pouvaient les prouver d'une manière satisfaisante. L'hon. procureur-général a dit lui-même qu'il croyait que toutes ces personnes avaient droit de recevoir l'indemnité, et par conséquent il ne voit pas pourquoi les 107 personnes dont il est question, dont la plupart n'ont pris aucune part aux troubles, en ont été exclues. En référant au rapport motivé des commissaires, on peut se convaincre que les commissaires ont agi non seulement injustement, mais illégalement. Malgré la loi qui dit positivement que tous avaient droit à l'indemnité sans distinction, on a vu l'un des commissaires faire toutes les perquisitions possibles pour savoir si les réclamans avaient pris part aux troubles afin de les exclure.²³

Cris.--Nommez-le! nommez-le!²⁴

MR. BUREAU le nomme avec un sentiment de honte, parce que celui qui tenait une conduite aussi indigne était un canadien, et qu'il travaillait pour faire tort à ses compatriotes. Ce commissaire était Jacques Viger. (Écoutez! écoutez!) Il écrivait à ceux qu'il croyait avoir été bureaucrates, et sur la simple déposition d'un seul homme, qui la plupart du tems était un ennemi personnel du réclamant, celui-ci était exclu de l'indemnité sans en recevoir avis, sans qu'il pût être confronté avec son délateur, et sans être entendu. Cette conduite indigne était en violation directe

de la loi, et pourtant le gouvernement veut aujourd'hui la faire ratifier par la chambre et refuse de rendre la justice due à ces personnes! Presque toujours les personnes exclues étaient restées paisibles et tranquilles chez elles, et il lui semble que si l'on peut établir ce fait,--comme il se croit en mesure de le faire,--le gouvernement ne devrait pas s'opposer à ce que l'indemnité soit maintenant payée, car elles attendent depuis assez longtemps.

L'hon. membre pour Soulanges a dit que nous devons le gouvernement responsable aux troubles de 1837-38, et que les déportés à la Bermude avaient droit à l'indemnité autant et plus que ceux qui sont restés en Canada. Pour lui M. B. il pense en effet que les exilés devraient être indemnisés des pertes qu'ils ont souffertes, d'autant plus que le procédé de lord Durham était inconstitutionnel et qu'il a été désavoué en Angleterre, par le Parlement et par la couronne. Il cite l'opinion de Sir John Russell sur les distinctions à faire entre les réclamans, lorsque MM. McNab et Cayley, aujourd'hui ministres, se rendirent en Angleterre afin d'empêcher qu'aucun rebelle fût indemnisé. Une motion dans ce sens ayant été faite à la chambre des communes et à la chambre des lords, elle fût rejetée, et lord John Russell exprima l'opinion suivante:

".... Établir aujourd'hui des distinctions entre les réclamans qui n'ont été ni déportés aux Bermudes, ni condamnés par les cours martiales, serait impolitique, car ce serait créer en Canada une chambre étoilée divisant les citoyens en deux classes; les loyaux et les déloyaux sujets.--ce qui ressusciterait des événemens vieux de douze ans qu'il est judicieux de couvrir du voile de l'oubli."

Si le parlement en Angleterre avait à décider la question qui nous est maintenant soumise il (M. B.) n'hésite pas à dire qu'elle le serait en faveur des exclus--le parlement indubitablement décréterait le respect et l'obéissance à la loi--le parlement condamnerait la décision arbitraire de la majorité des commissaires; entre l'oppresseur et l'opprimé le parlement n'hésiterait point un instant. Le parlement canadien affectera-t-il d'être plus loyal que le parlement (sic) impérial, et surtout plus injuste quand il s'agit de rendre pleine et ample justice à nos compatriotes. Il a été heureux de voir l'honorable membre pour Missisquoi (M. Fernes (sic)) parler en faveur des exclus, il espère qu'il ne parlera pas pour les exclus pour ensuite voter pour qu'ils ne touchent point l'indemnité. Car il arrive assez souvent que des membres parlent pour une proposition et votent contre. Toujours il (M. B.) donne crédit à cet honorable membre pour le discours qu'il a fait en faveur des exclus.

M. Bureau voit que le moment est arrivé de se convaincre si les ministres qui siègent sur les banquettes ministérielles sont sincères, quand ils nous disent qu'ils sont aujourd'hui des réformateurs, et qu'ils veulent marcher dans la voie du progrès et de la réforme. C'est une occasion favorable de voir si réellement les tories qui ont fait alliance avec les libéraux pour monter au pouvoir, ont jeté un voile sur le passé, et sont véritablement des convertis à la bonne cause.

Quand les honorables ministres occupaient les Bancs de l'opposition, on pouvait craindre qu'ils n'excitassent de nouveau les préjugés populaires, et c'était la seule crainte qu'exprimait l'ancienne administration. Mais les jours de réconciliation sont venus rapprocher des hommes autrefois ennemis--ils ont enlevé le drapeau réformiste pour se concilier une majorité dans l'enceinte de l'assemblée législative. Encore une fois sont-ils sincères? il(s) ont occasion de le prouver.

Les instructions données aux commissaires ne leur permettaient pas d'exclure les personnes qui avaient pris part à la rébellion, car elles disent expressément que les seules personnes qui n'auront pas droit à l'indemnité seront celles qui ont été convaincues de haute trahison et celles qui ont été déportées aux Bermudes; la lettre du président de la commission, en date du 28 avril 1851, et celle

de l'hon. L.J. Drummond, alors officier en loi, en date du 7 mai 1851, prouvent que ces deux messieurs étaient alors d'opinion que la participation à la rébellion n'était pas une cause d'exclusion. Il faut donc que les commissaires aient reçu des instructions secrètes du gouvernement, car sans cela il est probable qu'ils ne se seraient pas permis d'agir comme ils l'ont fait. Dans tous les cas, si le gouvernement ne leur avait pas donné instruction d'exclure une partie des réclamans, il s'est au moins rendu leur complice en approuvant cette conduite et en ne destituant pas les commissaires qui agissaient ainsi en contravention directe de la loi. On dira peut-être qu'agiter cette question serait créer de nouvelles difficultés et occasioner de grandes dépenses, parce qu'il faudrait nommer une nouvelle commission; mais il pense qu'une nouvelle commission ne serait pas nécessaire, le montant de toutes les réclamations étant maintenant établi, et les seules dépenses à encourir seraient les 7,000L à payer aux exclus.

En référant aux jugemens rendus par les commissaires, on peut se convaincre que ces jugemens sont des plus injustes et qu'ils ne sont nullement motivés. Par exemple, il peut citer le jugement rendu contre Joseph Picotte, de St. Remi, qui fut exclus sous prétexte qu'il avait pris part à la rébellion, tandis que M. Leblanc, l'un des commissaires, déclare dans son protêt qu'il a été prouvé sous serment que le réclamant n'avait pris aucune part à la rébellion, et qu'il n'en avait pas même été soupçonné dans le tems, puisqu'il n'avait pas été fait prisonnier. Les commissaires ont aussi refusé d'indemniser la fabrique de Napierville, quoiqu'aucune autre fabrique ne fût exclue. Il était difficile d'alléguer pour motif de cette exclusion que la fabrique avait pris part aux troubles, mais des hommes de génie comme la majorité des commissaires n'étaient pas en peine de trouver une raison quelconque, et ils exclurent la fabrique de Napierville parce qu'un grand nombre des habitants de cette paroisse avaient pris part aux troubles et parce qu'il y avait eu un camp dans la paroisse!--(Écoutez! écoutez!) Il cite encore plusieurs autres cas, entre autres, celui d'Antoine Merizy de Napierville, qu'on accuse injustement d'avoir participé aux troubles, et parce que Sir John Colborne avait offert une récompense de 100L pour son appréhension, mais on se rappelle qu'un grand nombre de proclamations de cette sorte furent émanées, et cela ne devait pas être raison d'exclusion.--La somme est si modique qu'il espère bien que, le ministère ne s'opposera pas à ce qu'elle soit payée, car ce serait consacrer toutes les injustices commises par les commissaires. Il a d'autant plus d'espoir que la motion ne sera pas opposée, que l'hon. secrétaire provincial (M. Cartier) disait lors de la dernière élection de Verchères, sur les hustings, que l'exclusion de ces personnes était une monstrueuse injustice, et que les commissaires étaient des coquins. Il espère au moins que l'hon. secrétaire provincial dira s'il est encore de la même opinion. (Écoutez! écoutez!)²⁵

MR. AT. GEN. DRUMMOND conceived that the decision of the Commissioners must be regarded as a judicial decision, which the House had no more right to review than it would have to review the decision of a Court of Justice. He believed the Commissioners had no right to decide against any claimants, not specially excepted by the law; but if they had been properly advised they would have applied to the Courts, who, he thought would have reviewed the decision of the Commissioners.²⁶

MR. FERRES ((asked a question.))²⁷

In reply ... MR. AT. GEN. DRUMMOND stated that the whole of the 100,000L appropriated for Rebellion Losses had been expended.²⁸

MR. LABERGE dit qu'il ne se lève pas pour discuter la question, car elle l'a été suffisamment et assez habilement par les honorables membres qui l'ont précédé, pour prouver que la justice exige de payer l'indemnité aux 107 exclus; mais il veut seulement attirer l'attention des membres qui supportent le ministère, et de tous les membres du Bas-Canada, ainsi que tous ceux qui sont directement ou indirectement intéressés dans la question, sur la conduite du gouvernement, et particulièrement de la partie Bas-canadienne du ministère, relativement à cette proposition. Le pays pourra juger quand il verra que nos ministres ne daignent pas s'expliquer sur une question de cette importance, lorsqu'elle est soumise même par un de leurs amis, quel cas on fait des intérêts Bas-Canadiens et quelle injustice on peut en attendre. On verra jusqu'à quel point les intérêts du Bas-Canada sont respectés, lorsqu'ils sont en opposition avec les caprices ou les haines de Sir Allan MacNab, et il espère que le pays saura apprécier cette conduite même comme elle le mérite.²⁹

La motion est alors mise aux voix et perdue³⁰.

(1012)

The Order of the day being read, for resuming the further Proceeding upon the Question which was proposed upon Saturday last, That this House will resolve itself into a Committee to take into consideration an humble Address to His Excellency the Governor General, praying him to be pleased to recommend to this House that a sum of Seven thousand nine hundred and fifty-seven pounds seven shillings and seven pence, be voted for the payment of the one hundred and seven persons in different parts of Lower Canada, referred to in a Report made on the 17th January, 1852, by the Commissioners appointed under the Act 12 Vic. cap. 58:--The House resumed the said further Proceeding.

Then the Question being put; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bourassa, Brodeur, Bureau, Chapais, Chauveau, Christie, Charles Daoust, Jean B. Daoust, Desaulniers, DeWitt, Jean B.E. Dorion, Antoine A. Dorion, Dufresne, Foley, Thomas Fortier, Frazer, Gill, Guévremont, Holton, Huot, Jobin, Laberge, Laporte, Mackenzie, Roderick McDonald, Marchildon, Mongenais, Papin, Prévost, Rolph, Thibaudeau, and Valois.--(32.)

(1012-1013)

NAYS.

Messieurs Atkins, Bell, Bellingham, Biggar, Blanchet, Brown, Cameron, Cartier, Casault, Cauchon, Cayley, Chabot, Chisholm, Church, Clarke, Cook, Crawford, Crysler, Daly, Delong, Dionne, Attorney General Drummond, Ferris, Ferris, Fournier, Freeman, Gait, Gamble, Hinks, Langton, LeBoutillier, Lemieux, Janssen, Macbeth, John C. Macdonald, Sir A.N. MacNab, McCann, Matheson, Meagher, Joseph C. Morrison, Angus Morrison, Munro, Niles, Patrick, Poulin, Pouliot, Powell, Rankin, Robinson, Roblin, Solicitor General Ross, Sanborn, Scatcherd, Shaw, Solicitor General Smith, James Smith, Somerville, Southwick, Spence, Stevenson, and Terrill.--(61.)

So it passed in the Negative.

MR. CHAUVÉAU moved to refer the Petition of the Municipality of the County of Quebec complaining of the negligence and inefficiency of the Quebec Turnpike Trust, and praying for their dismissal, and that of their employés--to a Select Committee.--³¹

This was opposed by MR. COM. PUB. WORKS LEMIEUX as an investigation at the present period of the Session was impossible³².

(1013)

The Honorable Mr. Chauveau moved, seconded by Mr. Desaulniers, and the Question being put, That the Petition of the Municipality of the County of Quebec, complaining of the negligence and inefficiency of the Quebec Turnpike Trust now holding Commission, and their permanent Employés, and praying for their dismissal from office of the Commissioners of the said Trust, and their said Employés, and for the establishment of a more practicable system; and, also, the Petition of the Municipal Council of the County of Quebec, praying for certain alterations in the administration of the Quebec Turnpike Roads, be referred to a Select Committee, composed of the Honorable Mr. Chabot, the Honorable Mr. Lemieux, the Honorable Mr. Cauchon, Mr. Thibaudeau, Mr. Huot, Mr. Rankin, and the mover, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Blanchet, Bourassa, Chapais, Chauveau, Charles Daoust, Darche, Desaulniers, DeWitt, Jean B.E. Dorion, Antoine A. Dorion, Fournier, Gill, Guévremont, Holton, Huot, Laberge, LeBoutillier, Marchildon, Merritt, Papin, Prévost, Rolph, and Thibaudeau.--(23.)

NAYS.

Messieurs Bell, Bellingham, Biggar, Bowes, Brodeur, Cameron, Cartier, Chabot, Church, Clarke, Cooke, Cook, Crawford, Crysler, Daly, Delong, Attorney General Drummond, Fergusson, Ferres, Ferrie, Foley, Freeman, Gamble, Gould, Hincks, Langton, Laporte, Lemieux, Macbeth, John S. Macdonald, Roderick McDonald, Mackenzie, Sir A.N. MacNab, McCann, Angus Morrison, Niles, Poulin, Rankin, Robinson, Solicitor General Ross, Scatcherd, Shaw, Solicitor General Smith, James Smith, Somerville, Spence, Stevenson, and Terrill.--(48.)

So it passed in the Negative.

The Honorable Mr. Cartier, one of Her Majesty's Executive Council, laid before the House, by Command of His Excellency the Governor General,--Report of the Superintendent of Education for Lower Canada, for 1854.

For the said Report, see Appendix (B.)

Ordered, That the same number of Copies of the said Report be printed as were ordered for the Report of the Superintendent of Education for Upper Canada, one half in each of the English and French languages, the surplus, after the number required for this House, to be distributed in the School Municipalities, through the Superintendent of Education for Lower Canada.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

(1014)

Mr. Speaker,

The Legislative Council have passed the following Bills, without Amendment; viz:--

Bill, intituled, "An Act to repeal the Act confirming a certain allowance for Road in the Township of Monaghan:"

Bill, intituled, "An Act granting certain privileges to the New York, Newfound-land, and London Telegraph Company:"

Bill, intituled, "An Act to amend the Act authorizing the Town of Dundas to become security to a certain amount for the Desjardins Canal Company to the Great Western Railway Company:" And also,

The Legislative Council have directed me to acquaint this House, That an engrossed Bill, with the following Title, "An Act to facilitate Private Settlements between Insolvent Debtors and their Creditors," has been sent to this House by mistake; and to request that the said Bill may be returned to the Legislative Council.

And then he withdrew.

The House proceeded to take into consideration the last part of the said Message.³³

On motion of the Honorable Sir Allan N. MacNab, seconded by Mr. Solicitor General Smith,

Ordered, That the Bill be returned to the Legislative Council.

And the Master in Chancery was again called in; and the said Bill was delivered to him accordingly.

And then he again withdrew.

Ordered, That the Order made on Friday last, for the reading of the said Bill a second time this day, be now read:--And the same was read.

Ordered, That the said Order be discharged.

Mr. Rankin moved, seconded by Mr. Sanborn, and the Question being put, That the Petition of William Frederick Whitcher, of the City of Quebec, Editor of the Quebec Gazette, complaining that he has been held to bail to appear at the General Quarter Sessions, by John Maguire, Esquire, Inspector and Superintendent of Police at Quebec, to answer for having written a letter, which the party to whom it was addressed, and another deponent, declared to have been sent with the intent of proyoking (sic) him to challenge the Petitioner to fight a duel, and praying for an enquiry into the premises, be referred to the Special Committee to which were referred the Petition of John Maguire, of the City of Quebec, Police Magistrate, and the Petition of Samuel Snell of the City of London, England, Seaman, the Petition of Jean Dion, of the City of Quebec, Pilot, and the Petition of William Wright and others, of the City of Quebec, praying for an investigation into the conduct of the said John Maguire as Police Magistrate or Inspector of Police at Quebec; the House divided:--And it passed in the Negative.

A Bil((l)) to incorporate the Zimmerman Bank, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to incorporate Zimmerman Bank."

Ordered, That the Honorable Mr. Cameron do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to transfer to the City of Montreal all the property, rights, and privileges heretofore enjoyed by the Wardens of the House of Industry in the City of Montreal, and for other purposes, was, according to Order, read the third time.

(1015)

Resolved, That the Bill do pass.

Ordered, That Mr. Holton do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to incorporate the Corresponding Committee at Montreal of the Colonial Church and School Society, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Holton do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to amend the Act for the encouragement of Building Societies in Lower Canada, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Casault do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to amend the Act incorporating the Champlain and St. Lawrence Railroad Company, and for other purposes, was, according to Order, read the third time; and Amendments were made to the Bill.

Resolved, That the Bill do pass, and the Title be, "An Act to amend the Acts incorporating the Champlain and Saint Lawrence Railroad Company."

Ordered, That Mr. Antoine Aimé Dorion do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill further to amend the Act, intituled, "An Act for the encouragement and relief of certain persons therein named, and others, and authorizing them to associate themselves by the name of 'The Quebec Benevolent Society,' under certain restrictions, rules, and regulations therein mentioned," was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Lemieux do carry the Bill to the Legislative Council, and desire their concurrence.

Mr. Dufresne reported the Bill to incorporate the Saint Francis Bank; and the amendments were read, and agreed to.

Ordered, That the Bill be read the third time To-morrow.

Mr. Terrill reported the Bill to incorporate the Niagara District Bank; and the amendments were read, and agreed to.

Ordered, That the Bill be read the third time To-morrow.

Mr. Ferrie reported the Bill to confer a Charter on the Millers' Association of Canada West, with Banking privileges; and the amendments were read, and agreed to.

Ordered, That the Bill be read the third time To-morrow.

The Order of the day for taking into consideration the Fourteenth Report of the Standing Committee on Contingencies, being read;

The House proceeded accordingly to take the said Report into consideration; and the same being again read;

On motion of Mr. Jobin, seconded by Mr. Roblin,

Resolved, That this House doth concur with the Committee in the said Report.

MR. MERRITT, in the absence of Hon. Mr. Young, moved that the House go into Committee of the Whole to consider a series of resolutions relative to the Trade and Navigation of the Province, and the construction of a Canal to connect Lake Champlain with the River St. Lawrence. He said the design of the work contemplated in the resolution was to counteract the efforts (sic) now being made by the Government of the state of New York to enlarge the Erie Canal, and to attract to that route the whole trade of the West. This country had expended large sums of money to complete our Provincial Canals on the St. Lawrence, but so far as the object was concerned of attracting the trade of the West down the St. Lawrence, they had been a total failure. The last Report by the Commissioner of the Public Works showed that for conveying the commerce of Western Canada we were at present contributors to the State of New York, in the shape of tolls, to the extent of 300,000L a year, instead of receiving, as we ought, that amount of tolls from the United States for conveying their trade along the St. Lawrence route. It might be objected that the work contemplated in those resolutions could not be carried out, as we had already spent so much money and incurred such liabilities for the construction of a railroad. But he advocated this work because it would very soon pay its own cost. The toll on every barrel of flour that now went by the Erie Canal from Buffalo to Albany was 22½ cents, and these tolls enabled the State to lay by yearly a million and a half of dollars as a sinking fund which would pay off the whole debt within 10 or 12 years. The toll might then be reduced to 3 cents a barrel, and a barrel of flour would be taken from Lake Erie to New York for 25 or 30 cents. Was it not high time that we should make efforts to counteract that diversion of our trade and restore it to the natural outlet of the St. Lawrence. If this work were constructed, we ... could take that barrel of flour to New York cheaper by the St. Lawrence, than it could be taken by the Erie Canal. By that route, there were 366 miles of a canal, by the St. Lawrence route only about 70 miles, the rest being Lake and River navigation.³⁴ This ability to compete, he thought, was rendered quite certain by the very able report of Mr. Jervis. By the Canada route they would have a descending grade all the way to Lake Champlain and thence they had only a difference of level of but 55 feet in the Hudson.³⁵ With such a work completed, and with these natural advantages, we could obtain as high a toll as that in the State of New York, although at present while they had toll of three millions of dollars from their Canals, ours only amounted to 9,000L which did not pay the cost of maintenance. By undertaking this work, not only would we find that it would pay itself, but it would yield us a revenue for carrying on other works. The last Parliament carried an address in favour of it by 37 to 6, and he trusted this House would be disposed to adopt it as cordially.³⁶

MR. ROBINSON thought it would be inexpedient to reaffirm the previous vote just now unless the Government were prepared to go on with the work--which he was assured they could not do, as the cost would be from 700,000L to 1,000,000L. Besides, before the Province undertook the work he would like to see some expression of opinion on the part of the State of New York in favor of the enlargement of the Canal between Whitehall and Albany. He could not forbear, before sitting down, making allusion to the large sum expended for this last survey, and the fact that it had been paid to foreigners.³⁷ Already 5,000L had been laid out in making the survey³⁸. He ((re))gretted to see that it should have been entrusted to an engineer from the States³⁹: Mr. Jervis had received 2,500L⁴⁰ ((OR)) 5,200L for paying three visits to the scene of operations while the Canadian Engineer, Mr. Tracy, who did the work, received only 900L⁴¹ ((OR)) 150L per month for conducting it. If the Government did not feel satisfied to rely on the opinion of their own engineer

alone, there were other men, such as the Messrs. Keefer and others, in Canada who might have been employed, and who could have prepared quite as satisfactory a report.--Before voting on the resolutions he would like to hear the opinion of the Inspector General with respect to the possibility of raising funds for the work.⁴²

MR. COM. PUB. WORKS LEMIEUX hoped the hon. member would withdraw his motion. It was not at the end of the session the government or the House could properly take up a subject of this magnitude involving an expenditure, he believe((d)) of 1,000,000L to 1,500,000L. Two reports had been made upon this subject, one in 1846 and the other by Mr. Jarvis just referred to. These differed somewhat in their recommendations, and the government had ordered an examination of the reports by a most eminent engineer to decide between them, ere they felt justified in coming down to the House with a recommendation of so large an expenditure of money.⁴³ The Government determined to obtain in the survey the most eminent engineering services which were available, which was the reason for employing Mr. Jarvis, considered the best engineer they could find.⁴⁴ The hon. member would see that the government had not lost sight of the matter, nor would they, but under present circumstances, and in the present condition of the finances of the country, they were not prepared to recommend the undertaking of the work.⁴⁵ The Revenues of the Erie Canal he stated to have fallen one half the past year.⁴⁶

MR. PRES. EX. COUN. MACNAB, also hoped the hon. member would withdraw his motion. The hon. Inspector General was not in his place, and these matters involving such expenditures of money, were naturally left in his hands as the principal financial officer of the government. Besides, ministers being aware of the absence of the hon. member who had given notice of the motion, had not expected it to come up, and had not, therefore, given the matter that special attention, which had he been present, they would have felt it necessary to do.⁴⁷ He would say, however, that after they had just pledged themselves for 900,000L stg. for the completion of the Grand Trunk, and with the prospect of having to pass a vote for 250,000L⁴⁸ ((OR)) 150,000L⁴⁹ to deepen the St. Lawrence, it did not seem to him to be prudent to go into this other work just now, which would involve the country in the expenditure of more than a million of money.⁵⁰

MR. MERRITT ... must say he was somewhat surprised at the stand taken by the hon. member for Simcoe, whom he had generally found a friend of these important public works.⁵¹ ((He)) said he would not incur an additional farthing of debt to the Province for this work, were there not a moral certainty of its paying. Mr. Jarvis shewed conclusively that if they constructed this canal, they would obtain a revenue of 280,000L⁵² ((OR)) 150,000L a year, and he believed it was founded on unquestionable data. There were 500,000 square miles of fertile country beyond Lake Michigan, the trade of which, properly belonged to the St. Lawrence, but now, went round us which, with this canal might be attracted hither, and render all our canals remunerative. He did not expect the Government to sanction this scheme, however. Their policy had always been to do nothing to promote this trade, or improve the navigation of the great St. Lawrence, but to allow its resources to be idle and to go to ruin. On the contrary, they voted money for railways, and were now asking for near a million for the Grand Trunk Railway. It would take twenty such railways to carry the produce to be brought down. Look at the success of the Welland Canal--6,000,000 barrels of flour passed through that canal in 1853, while only 5,000,000 barrels passed through the Erie. With the proposed canal to Lake Champlain we should get the carrying of the supplies for the six Eastern States--a greater trade than the whole export to Europe. That would be got whether

the New York people enlarged their Champlain Canal or not.⁵³ However, at this late period of the session, perhaps the most prudent course would be to withdraw the resolutions.⁵⁴

MR. PRES. EX. COUN. MACNAB was glad that the hon. gentleman was willing to give way.⁵⁵ The hon. member was he confessed a great friend of public improvements, and had done much to promote them but the improvements he favored were always under water. Yet no man could overrate his opinion of the eminent services the hon. member had rendered the country. He could never forget, nor would the country forget, how under most discouraging circumstances, he had undertaken and forced on the Welland Canal project--or the ability, zeal and perseverance he had displayed in bringing that great work to its completion.--There was no man, to whose opinion on such a subject as the present he would listen with more attention, or give more weight; but he thought the hon. member would see, and the House would see, that it was not possible to proceed with the work just now.⁵⁶

MR. COM. CR. LANDS CAUCHON expressed himself unfavourably to the proposed work. It would be better to encourage trade to come down the river for transshipment at Quebec.⁵⁷

MR. MERRITT hoped that, if the Government would not go in with it, themselves, they would not, like the dog in the manger, prevent others from doing so. If they would hand it over to a private Company, they would relieve the Government of the whole liability.⁵⁸

MR. ROBINSON had lost none of his zeal for public improvements, but thought it questionable if this were the proper time to proceed with the contemplated work. Another reason for delay was this--that under the reciprocity treaty, he understood members of the Western Houses were intending to send produce to Montreal and Quebec for transshipment and export, and he thought it well to wait a twelvemonth to see the progress of this trade. If the trade could thus be brought to the St. Lawrence (sic) route, it might be better not to build a canal to take it off again to American seaports.⁵⁹

MR. FERRES drew the attention of the hon. member for Simcoe to the fact that this canal was intended for the accom(m)odation of the lumber trade between the Ottawa and the United States, as well as for produce. That trade with the United States in Canada was fast increasing, and lumber manufactured in the vicinity of Quebec was sent up the St. Lawrence and Richelieu into Lake Champlain. He did not think the importance of the canal to the interests of the Province could be overrated. It was not so much the export trade to Europe (which might be brought to Quebec) as the immense traffic between the Western and Eastern States and the Provinces, that could be brought down the St. Lawrence and afford a revenue to this canal. Two-thirds of all the produce sent to market from the West was for sale and consumption in these places--not for export. The exports for sea were almost nothing when compared with the produce sent from the West to the East.--When we had secured the traffic eastward, we should also get with it cheaper frieghts (sic) and a much larger share of the inward traffic in goods from sea.⁶⁰

The motion was then withdrawn.⁶¹

(1015)

The Order of the day for the House in Committee to take into consideration

(1016)

certain Resolutions on the subject of a Canal to connect the St. Lawrence with Lake Champlain, being read;

Ordered, That the said Order be discharged.

The Order of the day for the second reading of the Bill to authorize the formation of Railroad Corporations, and to regulate the same, being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Railroads, Canals, and Telegraph Lines.

The Order of the day for the second reading of the Bill to repeal the Acts providing for the Incorporation of Joint Stock Companies for mining, manufacturing and other purposes, and to make other provisions for the same purpose, being read;

Ordered, That the said Order be discharged.⁶²

The Order of the day for the second reading of the Bill to establish Conciliation Courts, and to facilitate the settlement of Civil Actions by Arbitration in certain cases, being read;

Ordered, That the said Order be discharged.

The Order of the day for the second reading of the Bill to provide for the registration of Births, Marriages and Burials in Upper Canada, and for other purposes therein mentioned, being read;

Ordered, That the said Order be discharged.

The Order of the day for the second reading of the Bill to provide for the election of Mayors of Cities and Towns, and Wardens of Counties in Upper Canada, directly by the Electors, being read;

Ordered, That the said Order be discharged.

The Order of the day for the second reading of the Bill for better securing the Independence of the Legislative Assembly, being read;

Ordered, That the said Order be discharged.

The Order of the day for the second reading of the Bill to prevent Burials in Churches, and within the limits of Incorporated Villages, being read;

Ordered, That the said Order be discharged.

The Order of the day for the second reading of the Bill to confirm the canonical erection of Catholic Parishes for Civil purposes, to regulate the erection and repairing of Churches, Sacristies, Parsonage Houses, and Church Yards, and to repeal certain Acts and Ordinances therein mentioned, being read;

Ordered, That the said Order be discharged.

The Order of the day for the second reading of the Bill to amend the Cullers' Act 8 Vic. cap. 49, by establishing a Board for the better settlement of disputes between the first purchaser and seller of any Lumber, being read;

Ordered, That the said Order be discharged.

The Order of the day for the second reading of the Bill to make the local Magistracy elective in Upper and Lower Canada, being read;

Ordered, That the said Order be discharged.

The Order of the day for the second reading of the Bill to amend the Assessment

(1017)

Laws of Upper Canada, in so far as they prejudice the interests of Agriculture, being read;

Ordered, That the said Order be discharged.

The Order of the day for the second reading of the Bill to amend the Act to provide for the formation of Incorporated Joint Stock Companies for manufacturing, mining, mechanical or chemical purposes, being read;

Ordered, That the said Order be discharged.

The Order of the day for the second reading of the Bill to repeal the Acts regulating the summoning of Jurors in Lower Canada, and to provide for the election of Jurors by the Municipal Councils, being read;

Ordered, That the said Order be discharged.

The Order of the day for the second reading of the Bill to establish a new Circuit in the County of Soulanges, being read;

Ordered, That the said Order be discharged.

The Order of the day for the second reading of the Bill to provide for the publication of hypothecs and real rights in Lower Canada, being read;

Ordered, That the said Order be discharged.

The Order of the day for the second reading of the Bill to provide for the establishment of County Courts in Lower Canada, being read;

Ordered, That the said Order be discharged.

The Order of the day for the second reading of the Bill to repeal an Act passed in the 13 & 14 Vic. cap. 74, intituled, "An Act for the protection of the Indians in Upper Canada from imposition, and the property occupied and enjoyed by them from trespass and injury," being read;

Ordered, That the said Order be discharged.

The Order of the day for the second reading of the Bill to amend the Act to regulate the duties between Master and Servant in Upper Canada, being read;

The Bill was accordingly read a second time; and referred to a Select Committee, composed of Mr. Solicitor General Smith, Mr. Cooke, Mr. McCann, Mr. Shaw, and Mr. Ferrie, to report thereon with all convenient speed; with power to send for persons, papers, and records.

The Order of the day for the second reading of the Bill to remove doubts respecting certain Marriages in Upper Canada, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for To-morrow.

The Order of the day for the second reading of the Bill to amend the Law as to Dormant Equities, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for Thursday next.

The Order of the day for the second reading of the Bill to exempt Notaries in Lower Canada from the necessity of having their Acts countersigned, or drawing them

up in the presence of two Notaries, except in cases of Testamentary dispositions, being read;

Ordered, That the said Order be discharged.

(1018)

The Order of the day for the second reading of the Bill to provide for the appointment of Crown Prosecutors in the Counties of Upper Canada, being read;

Ordered, That the said Order be discharged.

The Order of the day for the second reading of the Bill to amend the Seigniorial Act of 1854, and to extend certain provisions of the said Act to the Seignior of Lauzon, being read;

Ordered, That the said Order be discharged.

The Order of the day for the second reading of the Bill to amend the Judicature Act of Lower Canada, being read;

Ordered, That the said Order be discharged.

The Order of the day for the second reading of the Bill to establish a Registry Office in Municipality No. 1 of the County of Beauharnois, being read;

Ordered, That the said Order be discharged.

The Order of the day for the second reading of the Bill to explain and amend an Act of the Parliament of this Province, passed in the sixteenth year of Her Majesty's Reign, intituled, "An Act to repeal certain Duties of Excise so far as regards Upper Canada, and to vest certain powers in the Municipal Authorities of that part of the Province," being read;

Ordered, That the said Order be discharged.

The Order of the day for the second reading of the Bill in relation to the solemnization of Matrimony in Upper Canada, being read;

Ordered, That the said Order be discharged.

The Order of the day for the second reading of the Bill to establish a Registry Office in and for the County of Huntingdon, and part of the County of Chateauguay, being read;

Ordered, That the said Order be discharged.

The Order of the day for the second reading of the Bill to amend the Lower Canada Municipal Acts, to provide better for the apportionment of the cost of Road work in places where no valuation Roll has been made, and to legalize certain existing apportionments, being read;

Ordered, That the said Order be discharged.

The Order of the day for the second reading of the Bill to declare that all Township and other Municipal Councillors shall be ex-officio Justices of the Peace, being read;

Ordered, That the said Order be discharged.

The Order of the day for the second reading of the Bill to enforce arbitration upon Litigants in Upper Canada, being read;

Ordered, That the said Order be discharged.

The Order of the day for the second reading of the Bill to amend the Act 16 Vic. cap. 183, intituled, "An Act to provide for the recovery of the rates and taxes intended to be imposed by certain By-Laws of the late District Councils in Upper Canada," being read;

Ordered, That the said Order be discharged.

(1019)

The Order of the day for the second reading of the Bill in relation to the Retrait Lignager (lineal redemption) in Lower Canada, being read;

Ordered, That the said Order be discharged.

The Order of the day for the second reading of the Bill to amend the Registry Laws of Upper Canada, being read;

The Bill was accordingly read a second time; and referred to a Select Committee, composed of the Honorable Mr. Cameron, Mr. Solicitor General Smith, the Honorable John Sandfield Macdonald, Mr. James Smith, Mr. Crawford, and Mr. Foley, to report thereon with all convenient speed; with power to send for persons, papers, and records.

The Order of the day for the second reading of the Bill to exempt County Municipalities from all charges and taxes for the maintenance of Public Roads within the limits of the Municipalities of Incorporated Towns, Boroughs, and Villages, being read;

Ordered, That the said Order be discharged.

The Order of the day for the second reading of the Bill to make better provisions for carrying into effect the Laws regulating the Incorporation of Villages and Hamlets, the erection of Incorporated Villages into Towns, the Incorporation of Towns, and the erection of Towns into Cities, in Upper Canada, being read;

Ordered, That the said Order be discharged.

The Order of the day for the second reading of the Bill to amend the Act for the formation of Incorporated Joint Stock Companies for manufacturing and other purposes, being read;

Ordered, That the said Order be discharged.

The Order of the day for the second reading of the Bill to remove doubts as to the right of the Judges of the Superior Court to preside at Enquêtes in appealable cases pending in Circuit Courts in Lower Canada, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for Thursday next.

The Order of the day for the second reading of the Bill to amend the Acts to secure the Independence of the Members of the Legislative Assembly, being read;

Ordered, That the said Order be discharged.

The Order of the day for the second reading of the Bill to increase the Jurisdiction of the County Courts in Upper Canada, and for other purposes therein mentioned, being read;

Ordered, That the said Order be discharged.

The Order of the day for the second reading of the Bill to amend the Act 12 Vic. cap. 85, intituled, "An Act to amend the several Laws therein mentioned relative to

the appointment and duties of Inspectors of Weights and Measures in Upper Canada," being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for Thursday next.

The Order of the day for the second reading of the Bill to constitute the Electoral Counties of Sherbrooke and Wolfe into separate Registration Districts, and

(1020)

to established (sic) Registry Offices therein, and for other purposes, being read;
Ordered, That the said Order be discharged.

The Order of the day for the second reading of the Bill to suspend parts of the Acts regulating the Notarial Profession in Lower Canada, in so far as they relate to the District of St. Francis, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for Thursday next.

The Order of the day for the second reading of the Bill from the Legislative Council, intituled, "An Act providing for the payment of Dividends by Insurance Companies," being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for Thursday next.

The Order of the day for the second reading of the Bill to authorize the redemption of certain Ground Rents in Lower Canada, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for Thursday next.

The Order of the day for the second reading of the Bill to establish Registry Offices in all the Counties in Lower Canada, being read;

Ordered, That the said Order be discharged.

The Order of the day for the second reading of the Bill to establish a Registry Office for the County of Soulanges, being read;

Ordered, That the said Order be discharged.

The Order of the day for the second reading of the Bill to amend and consolidate the Game Laws, being read;

Ordered, That the said Order be discharged.

The Order of the day for the second reading of the Bill to reorganize the Jurisdiction of the several Courts of Common Law and Equity in Upper Canada, to extend the Jurisdiction thereof in certain cases, and for other purposes, being read;

Ordered, That the said Order be discharged.

The Order of the day for the second reading of the Bill to authorize Her Majesty's Subjects to plead and reason for themselves and others in all Her Majesty's Courts of Judicature in Canada, and to abolish the title or distinction of Queen's Counsel, being read;

Ordered, That said Order be discharged.

MR. FERRES moved, That the Bill to repeal in part an Act passed in the 16th year of Her Majesty's Reign intituled, "An Act to provide a remedy against the Corporation of the City of Quebec (sic) in case of injury to property by any Mob or during Riots in the said City," be now read the second time. He said it would be recollected that in the Act referred to, a clause was inserted, declaring that whenever any lecture, representation, performance, exhibition, or other public meeting should take place, for which money should be paid at the door, the Corporation should not be responsible for any destruction of property by a mob or during a riot at the place where such lecture, &c. should be held, unless the permission of the Mayor, for the holding of it should first be had and obtained.⁶³ He did not believe that in any civilized country where corporations were made liable for damage done by rioters, such an enactment as this existed. It was offering a premium to rioters, and the apathy of the authorities whenever such a lecture was delivered or exhibition opened. Why should the consent of the Mayor be necessary to enable a man to lecture to such as chose to go to hear him; or if that consent were refused, why should the ill-disposed portion of the community have the right of setting upon the lecturer and the audience, and destroying the property made use of? In Montreal, with a similar act of incorporation to Quebec, no such clause existed, nor should be allowed to stand upon the statute book. There, the city was responsible for all such damage.--It was only in a time of unfortunate excitement that the act was passed for Quebec. He regretted that occurrence as much as any honble. member, but he regretted this infringement of popular liberty more. It gave the Mayor supreme control over the literary enjoyments of the citizens,--a power which should be invested in no man, however worthy. He was assured the majority of the House would assent to the bill before the House, and not allow this stain to remain any longer on the statute book.⁶⁴

MR. ALLEYN said he opposed the Bill, not because he was an enemy of free discussion, but because he thought the clause sought to be repealed was a useful clause. It did not abrogate the duty of the authorities to protect, if in their power, parties who chose to give lectures, even without the Mayor's permission, for that was part of the common law. But many exhibitions innocent in themselves, might give rise in certain circumstances to much excitement, and if the Mayor and Corporation thought it prudent to withhold their permission for such exhibitions to take place he thought it was a wise permission (sic) that the City should not be exposed to heavy loss in consequence of the parties concerned persisting in their exhibitions.⁶⁵

MR. HINCKS regretted to differ with the hon. and learned member for Quebec. He thought the clause sought to be repealed a most unfortunate one. It had been hastily passed without time for examination on the last day of the session, and he had always regretted since that he had not opposed it. He was sure his hon. and learned friend had not examined carefully the practical operation of the clause or he would not have said that it contained no infringement upon freedom of discussion. By it the majority who elected the Mayor (and whose views he wished to represent in such a matter) were protected in their right of free discussion, but the minority might be deprived of it by the Mayor's interference. Now, the minority had the same right to protection in the exercise of this right as the majority. One class was now secured in its rights while another might be deprived of them by the caprice of the chief magistrate. If the remedy existed at common law at all, why should not the statute law be made equally just and impartial?⁶⁶ The Common Law was not sufficient. In some cases the civic authorities were unable to protect property against rioters, and in such cases it was just that the City should be made to pay

the damage which the Individual suffered. (Hear, hear). It could not be disputed that the parties referred to in the Act had a right to lecture, whether the Mayor gave his permission or not. It was their right as British subjects to do it, and in the exercise of that right they ought to be protected. As the Act now stood, the representative of the majority was virtually authorized to say that he would allow no one to lecture in this City, but those he approved of.⁶⁷

MR. MACKENZIE said he very seldom agreed with the hon. member for Renfrew, but he remarkably well liked to hear the observation, he had made just now. The enactment in question struck at the very foundations of civil liberty. It was just of a piece with what he had lately read of a meeting of a large number of men in a Western City, who resolved that if any Methodist Preacher from the north came amongst them, they would give him a coat of tar and feathers, and who then proceeded to destroy the office of a newspaper which had avowed sentiments on slavery opposed to their own.⁶⁸ He said nothing against Quebec, he thought there was much liberality in Quebec. They had a Catholic Mayor last year, this year they had a Protestant one. The law had been adopted hurriedly at the very end of the session, and had not been duly considered. He thought the member for Missisquoi deserved credit for bringing it up, and he believed it ought to be extended to Upper Canada.⁶⁹

MR. SOL. GEN. D. ROSS would not oppose the second reading, as there seemed to be no reason why any distinction should be made between a lecture for which money was paid at the door, and one to which admission was free. But he hoped it would be amended in Committee. In a Community composed of various religious sects it would be well to guard against the issuing of an insulting placard, which on a recent occasion gave rise to the whole mischief. He had a decided objection to allowing any man who chose to come into a mixed community where there were elements like gunpowder ready to explode on the least spark being applied to them. He thought it would be very wise in such a Bill as this to make provision for checking anything of that sort, and for preventing a man from advertising publicly a lecture on sectarian religion or church discipline (Oh! oh!) They all ((k))new that such lectures did no good, and that they only led people to discuss the religion of their neighbours with which they had nothing to do, and their end was always, not information or instruction but riot. If a clause could be adopted to check such men as Gavazzi from coming here, it would be a good thing, or at all events, if he did come, to check the issuing of such placards as those to which he had referred. As to paying money, he saw no use for making that distinction. If the authorities had not power to repress a riot, the City ought to bear the damages which might result from it.⁷⁰

MR. BROWN said the Solicitor General East seemed to be quite willing to do away with this restriction on the liberty of speech but only upon the condition that he might be allowed to impose another restriction on the liberty of the Press. (Hear, hear.) The hon. gentleman would not allow placards to be put up, which he imagined would have the effect of disturbing the public peace. But were not all printers and publishers sufficiently responsible, according to the provisions of the Common Law? The hon. gentleman said that sectarian disputes did great harm. True! and they saw too much of the evil of them in this House,⁷¹ but they could not pass a law to prevent such discussions in that House or out of it⁷² ((OR)) for that reason he considered that they should get rid of all legislating on religious subjects, which produced those disputes. (Hear, hear.) But for this House to declare, as the hon. Solicitor General proposed that no sectarian subjects should be announced and that no lectures on such matters should be publicly advertised, would be utterly subversive of one of the first principles of the Constitution, and repulsive to the

feelings of every Briton. (Hear, hear.) He was only astonished that the Solicitor General could have uttered such a sentiment, or that it could have been heard proceeding from any member of this House. (Hear, hear.) As to the motion of the hon. member for Mississquoi, it was almost unnecessary that he should say anything in its favour. The clause sought to be repealed was stuck in while the House was in Committee of the whole on the last day of the session, and he for one never saw it⁷³ until it was printed in the Statute Book.⁷⁴ Its repeal was simply a question of liberty of speech, and surely there could be no necessity, in a British Colony and a British City, to contend that the fullest liberty of speech should be given to all who came to it. (Hear, hear.)⁷⁵

MR. CASAULT opposed the Bill.⁷⁶ ((He)) complained that this matter should be taken up and passed, contrary to the wishes of the members for the city of Quebec, by a member not representing a constituency even in a District of Quebec.⁷⁷

The motion was then carried⁷⁸.

MR. COM. PUB. WORKS LEMIEUX, remained in a deep slumber, while the vote was being taken⁷⁹.

MR. SICOTTE the SPEAKER's attention having been called to the fact,⁸⁰--

((MR. COM. PUB. WORKS LEMIEUX)) was roused up and voted Yea.⁸¹

The Bill was accordingly read the second time, and committed for Thursday next.⁸²

(1020)

The Order of the day for the second reading of the Bill to repeal in part an Act passed in the sixteenth year of Her Majesty's Reign, intituled, "An Act to provide a remedy against the Corporation of the City of Quebec, in cases of injury to property by any Mob during Riots in the said City," being read;

Mr. Ferres moved, seconded by Mr. Sanborn, and the Question being put, That the Bill be now read a second time; the House divided: and the names being called for, they were taken down, as follow:--

(1020-1021)

YEAS.

Messieurs Aikins, Bell, Bowes, Brown, Cameron, Chisholm, Christie, Church, Clarke, Crawford, Charles Daoust, DeWitt, Antoine A. Dorion, Fergusson, Ferres, Foley, Frazer, Freeman, Gamble, Gould, Hincks, Langton, Lemieux, Lumsden, John S. MacDonald, Roderick McDonald, Mackenzie, Sir A.V. MacMill, McCann, Merritt, Angus Morrison, Munro, Murney, Niles, Papin, Patrick, Prévost, Robinson, Roblin, Solicitor General Ross, Sanborn, Scatterd, Shaw, Solicitor General Smith, Somerville, Southwick, Spence, Stevenson, and Terrill.--(49.)

(1021)

NAYS.

Messieurs Alley, Bourassa, Brodeur, Bureau, Casault, Chapais, Jean B. Daoust, Desaulniers, Dionne, Dufresne, Thomas Fortier, Fournier, Gill, Guérémont, Laberge, Laporte, LeBoutillier, Poulin, Pouliot, Thibaudeau, and Valois.--(21.)

So it was resolved in the Affirmative.

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for Thursday next.

The Order of the day for the second reading of the Bill to amend an Act passed in the sixteenth year of Her Majesty's Reign, intituled, "An Act to amend and consolidate the several Acts for the formation of Joint Stock Companies for the construction of Roads and other works in Upper Canada," being read;

The Bill was accordingly read a second time; and referred to a Select Committee, composed of Mr. Freeman, Mr. Hartman, Mr. James Smith, Mr. Christie, Mr. Crawford, and Mr. Gould, to report thereon with all convenient speed; with power to send for persons, papers, and records.

The Order of the day for the second reading of the Bill to amend the Act, intituled, "An Act to provide for the better re-organization of Agricultural Societies in Lower Canada," being read;

The Bill was accordingly read a second time; and referred to a Select Committee, composed of Mr. Pouliot, Mr. Felton, Mr. Rhodes, Mr. Jean Baptiste Daoust, Mr. Poulin, and Mr. Bourassa, to report thereon with all convenient speed; with power to send for persons, papers, and records.

The Order of the day for the second reading of the Bill for the more effectual protection of Copyrights in this Province, being read;

The Bill was accordingly read a second time; and referred to a Select Committee, composed of Mr. Casault, the Honorable Mr. Robinson, the Honorable Mr. Chauveau, Mr. Brown, and Mr. Charles Daoust, to report thereon with all convenient speed; with power to send for persons, papers, and records.

The Order of the day for the second reading of the Bill to amend and regulate the General Clauses relating to Railways, being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Railroads, Canals, and Telegraph Lines.

The House, according to Order, resolved itself into a Committee on the Bill to amend the Act of last Session relative to the enregistration of the Articles of

(1022)

Clerkship of Law Students; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Bureau reported, That the Committee had gone through the Bill, and made an amendment thereunto.

Ordered, That the Report be now received.

Mr. Bureau reported the Bill accordingly; and the amendment was read, and agreed to.

Ordered, That the Bill be read the third time To-morrow.

The Order of the day for the second reading of the Bill to restrain Railway Companies from carrying Passengers for hire on their Roads until the same or portions thereof are fully completed, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for Thursday next.

MR. MACKENZIE moved, that the Bill to exempt Homesteads of Families when under a certain value, from forced Sales under execution to pay debts, be now read a second time.⁸³

MR. SOL. GEN. H. SMITH moved in amendment that it be read a second time that day three months. He said it was a Bill imported from the United States and embodied a

most dangerous principle, that of exempting from sales for debt a man's house, whether he was an honest or dishonest debtor. It would do away altogether with the credit system, for it was only on the security of property that credit was given.⁸⁴

MR. BELLINGHAM supported the Bill, considering it a highly conservative measure, as tending to strengthen the ties which attracted our population to the soil.⁸⁵

MR. MACKENZIE said the measure had been imported, not from the States, but from England, from France, and from Scotland. There the dukes and lords had property secured to their families, generation after generation, and perhaps hundreds of miles in extent. That he considered was dangerous to society, but it was very different to say that a small homestead not exceeding a certain value should be protected. What he desired was that when a young couple were married, the husband could say to the wife--I will build you a house, and the Law will protect you under its shelter, whether I turn a drunkard or not or whatever debts I may contract. As to its interfering with the credit system, it would only have the same effect, as a previous mortgage at present had. Trust of course would not be given on account of the homestead so reserved. It was true that in a number of the States the principle was adopted, it was also true that no evil results had flowed from it, for in no one of the States had any attempt been made to repeal that law.⁸⁶

The amendment, which had the effect of throwing out the Bill, was carried⁸⁷.

(1022)

The Order of the day for the second reading of the Bill to exempt the Homesteads of Families, when under the value of _____L, from forced sales under execution to pay debts, being read;

Mr. Mackenzie moved, seconded by Mr. DeWitt, and the Question being proposed, That the Bill be now read a second time;

Mr. Solicitor General Smith moved in amendment to the Question, seconded by the Honorable Mr. Spence, That the word "now" be left out, and the words "this day three months" inserted instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Alleyn, Bell, Brodeur, Brown, Bureau, Cameron, Cartier, Casault, Cauchon, Chapais, Chisholm, Clarke, Crawford, Crysler, Jean B. Daoust, Dionne, Attorney General Drummond, Dufresne, Ferres, Foley, Freeman, Guevremont, Hincks, Langton, Laporte, Lemieux, Macbeth, John S. Macdonald, Roderick McDonald, McCann, Meagher, Mongenais, Angus Morrison, Pouliot, Roblin, Solicitor General Ross, Sanborn, Solicitor General Smith, Somerville, Spence, Terrill, and Thibaudeau.--
(42.)

NAYS.

Messieurs Aikins, Bellingham, Christie, Cooke, Darche, DeWitt, Fournier, Frazer, Iaberge, Mackenzie, Munro, Papin, Poulin, and Valois.--(14.)

So it was resolved in the Affirmative.

Then the main Question, so amended, being put;

Ordered, That the Bill be read a second time this day three months.

On motion of MR. MACKENZIE⁸⁸,

(1022)

The House, according to Order, again resolved itself into a Committee on the Bill to exempt the tools or implements of any Debtor's trade or calling, and the wearing apparel, the bedding, and other furniture necessary for the use of his family, from seizure and sale under execution for debt;

MR. COM. CR. LANDS CAUCHON said that they did not want the Bill in Lower Canada. He moved that the Committee rise.⁸⁹

MR. SOL. GEN. H. SMITH said he did not want it for Upper Canada either, he believed it would open the door to much fraud.⁹⁰

MR. BROWN supported the Bill. The whole effect of it was to save from execution tools, furniture, &c. not exceeding 25L in value and he felt that nothing could be more reasonable. It was a frightful thing to think of a whole family being thrown destitute into the street in consequence of an execution brought on by misfortune, or the impropriety of the father.⁹¹

MR. CAMERON and MR. AT. GEN. DRUMMOND also supported the Bill⁹².

MR. CHAPAIS, MR. POULIOT, and the Lower Canadian members ... opposed ((the Bill.))⁹³

The motion that the Committee rise was lost⁹⁴.

(1022)

and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Christie reported, That the Committee had gone through the Bill, and made amendments thereunto.

And the Question being put, That the Report be now received; the House divided:--And it was resolved in the Affirmative.

(1023)

Mr. Christie reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill be read the third time To-morrow.

The Order of the day for the second reading of the Bill to make better provision for the administration of the property of minors, absentees, interdicted persons, and others incapable of administering their own affairs, in Lower Canada, being read;

The Bill was accordingly read a second time; and referred to a Select Committee, composed of Mr. Bureau, the Honorable Mr. Chauveau, Mr. Antoine Aimé Dorion, the Honorable Mr. Chabot, and Mr. Papin, to report thereon with all convenient speed; with power to send for persons, papers, and records.

Then, on motion of the Honorable John Sandfield Macdonald, seconded by Mr. Mackenzie,

*The House adjourned.*⁹⁵

APPENDIX: 7 MAY 1855.

((NOTICE OF MOTION FOR AN ADDRESS RE: JUSTICES OF THE PEACE IN BEAUHAR-
NOIS.))

MR. C. DAOUST (Beauharnais) ((donne avis qu'il présentera une)) adresse à son excellence le gouverneur général, pour copie de toutes correspondances ou recommandations relative à la nomination des juges de paix dans le comté de Beauharnais depuis le premier de janvier dernier.⁹⁶

((NOTICE OF MOTION FOR RESOLUTIONS RE: REBELLION LOSSES.))

MR. HUOT ((donne avis que)) mercredi prochain ((il fera motion pour)) que la chambre se forme en comité général pour considérer les résolutions suivantes:

1. Que certaines personnes ayant été exilées à la Bermude en 1837, d'une manière injuste et illégale pendant l'espace de trois mois, ont souffert des pertes considérables.

2. Que cette honorable chambre décide qu'il est convenable que ces personnes soient indemnisées des dommages qu'elles ont soufferts.⁹⁷

((NOTICE OF MOTION RE: ERECTION OF TRIBUNE IN LEGISLATIVE ASSEMBLY.))

MR. HUOT ((donne avis que)) mercredi prochain ((il fera motion pour)) qu'une tribune soit érigée dans la chambre, et qu'il ne soit dorénavant permis à aucun membre de parler à sa place.⁹⁸

((QUESTION AND ANSWER RE: ERECTION OF SCHOOL HOUSES AND PARISH LIBRARIES.))

MR. JOBIN demande au gouvernement si c'est son intention de remplir la promesse faite durant la première partie de cette session, de mettre à la disposition du surintendant de l'éducation pour le Bas-Canada, une somme de deniers pour aider à bâtir des maisons d'école et pour établir des bibliothèques de paroisse.⁹⁹

MR. PRES. EX. COUN. MACNAB répond que les estimés montreront ce qui a été fait pour les fins de l'éducation dans le Bas-Canada. (Écoutez! écoutez!)¹⁰⁰

((QUESTION AND ANSWER RE: ENLISTING OF MEN FOR WAR WITH RUSSIA.))

CAPT. RHODES ... ((asked)) a question¹⁰¹.

MR. PRES. EX. COUN. MACNAB also said that the Government had no information whatever that agents were employed by the Imperial Government enlisting men in the United States for military service in the Crimea, to be gathered in at any depot in Canada.¹⁰²

((QUESTION AND ANSWER RE: PAYMENT TO JOSEPH ADAMS.))

MR. HUOT ... ((made)) an enquiry¹⁰³.

MR. COM. PUB. WORKS LEMIEUX stated that the Government had paid Mr. Adams, Superintendent of Works at Malbaie, the full amount of his account--and it was not

their intention to reconsider his claim to be paid on the same footing as the Superintendent of Piers on the South Shore of the River.¹⁰⁴

((WITHDRAWN MOTION FOR AN ADDRESS RE: APPOINTMENT OF COMMISSIONERS TO THE PARIS EXHIBITION.))

MR. POWELL moved an Address to His Excellency for copies of all letters, papers and other documents relating to the appointment of Commissioners to represent this Province in the Paris Industrial Exhibition. He said his object was to obtain information why the people of Upper Canada had been overlooked as to the appointment by the Government of a commissioner to represent them at Paris.¹⁰⁵

MR. PRES. EX. COUN. MACNAB.--I believe several Commissioners from Upper Canada have been appointed. There are four or five of the members of the Executive Commission now in Paris.¹⁰⁶

MR. POWELL.--Do the Government pay their expenses?¹⁰⁷

MR. PRES. EX. COUN. MACNAB.--There are two from Lower Canada, but none from Upper Canada, whose expenses are paid.¹⁰⁸

MR. POWELL.--One of those two is a member of this House (Dr. Tache,) and it is very questionable, whether, receiving pay from the Government, he ought not to vacate his seat.¹⁰⁹

MR. AT. GEN. DRUMMOND.--The two gentlemen referred to, one of them a member of this House, and the other an officer of the Government, as head of the Geological Survey, receive no remuneration (sic) for their services at Paris, but simply their travelling expenses.¹¹⁰

The motion was then withdrawn.¹¹¹

FOOTNOTES: 7 MAY 1855.

1. LA MINERVE, 15 May 1855.
2. MORNING CHRONICLE, 15 May 1855.
3. IBID.
4. MONTREAL GAZETTE, 10 May 1855.
5. MORNING CHRONICLE, 15 May 1855.
6. IBID.
7. IBID.
8. GLOBE, 16 May 1855.
9. MORNING CHRONICLE, 15 May 1855.
10. HAMILTON SPECTATOR, 16 May 1855.
11. GLOBE, 16 May 1855.
12. MORNING CHRONICLE, 15 May 1855.
13. IBID.
14. IBID.
15. GLOBE, 16 May 1855.
16. IBID.
17. MORNING CHRONICLE, 15 May 1855.
18. LA MINERVE, 15 May 1855.
19. IBID.
20. MORNING CHRONICLE, 15 May 1855.
21. GLOBE, 16 May 1855.
22. MORNING CHRONICLE, 15 May 1855.
23. LE PAYS, 16 May 1855.
24. IBID.
25. IBID.
26. MORNING CHRONICLE, 15 May 1855.
27. GLOBE, 16 May 1855.
28. IBID.
29. LE PAYS, 16 May 1855.
30. IBID.
31. MORNING CHRONICLE, 8 May 1855.
32. IBID.
33. LA MINERVE, 15 May 1855, contrary to the JOURNALS, reports Mr. A.N. MacNab moved that the House proceed to consider a part of the said message, but makes no mention that he moved the Bill back to the Legislative Council.
34. GLOBE, 16 May 1855.
35. MORNING CHRONICLE, 15 May 1855.
36. GLOBE, 16 May 1855.
37. MORNING CHRONICLE, 15 May 1855.
38. HAMILTON SPECTATOR, 16 May 1855.
39. GLOBE, 16 May 1855.
40. MORNING CHRONICLE, 15 May 1855.
41. GLOBE, 16 May 1855.
42. MORNING CHRONICLE, 15 May 1855.
43. IBID.
44. GLOBE, 16 May 1855.
45. MORNING CHRONICLE, 15 May 1855.
46. HAMILTON SPECTATOR, 16 May 1855.
47. MORNING CHRONICLE, 15 May 1855.
48. GLOBE, 16 May 1855.

49. MORNING CHRONICLE, 15 May 1855.
50. GLOBE, 16 May 1855.
51. MORNING CHRONICLE, 15 May 1855.
52. GLOBE, 16 May 1855.
53. MORNING CHRONICLE, 15 May 1855.
54. GLOBE, 16 May 1855.
55. IBID.
56. MORNING CHRONICLE, 15 May 1855.
57. GLOBE, 16 May 1855.
58. IBID.
59. MORNING CHRONICLE, 15 May 1855.
60. IBID.
61. GLOBE, 16 May 1855.
62. Several orders were discharged during the course of this sitting. In this connection, HAMILTON SPECTATOR, 19 May 1855, comments as follows: "On Monday night ... the house presented a strange appearance. Shortly after seven a determination was arrived at to go at once over the orders of the day, take up such as were unopposed, and strike of((f)) all that were not intended to be proceeded with during the session. It was amusing to notice the discharging operation. A bill would be called, a general shout of "discharge" would be heard from every part of the house, its legal papa with a half timid expression of countenance would rise to move its second reading, a frown from those around him would act like an electric shock upon him, and he would relapse into his seat with very much the air of a man in the last stages of despair, and the general voice would prevail. The proceedings were very undignified, though, as far as an early prorouging (sic) of the house is concerned, they were exceedingly practical. No less than forty orders were discharged. Six bills were read a third time and passed, and seventeen bills passed a second reading." MONTREAL GAZETTE, 10 May 1855, also reports that the House "struck off forty orders which members did not desire to proceed with or found it impossible to pass."
63. GLOBE, 16 May 1855.
64. MONTREAL GAZETTE, 10 May 1855.
65. GLOBE, 16 May 1855.
66. MORNING CHRONICLE, 15 May 1855.
67. GLOBE, 16 May 1855.
68. IBID.
69. HAMILTON SPECTATOR, 16 May 1855.
70. GLOBE, 16 May 1855.
71. IBID.
72. MONTREAL GAZETTE, 10 May 1855.
73. GLOBE, 16 May 1855.
74. MONTREAL GAZETTE, 10 May 1855.
75. GLOBE, 16 May 1855.
76. IBID.
77. MORNING CHRONICLE, 15 May 1855.
78. GLOBE, 16 May 1855.
79. IBID.
80. IBID.
81. IBID.
82. IBID.
83. IBID.
84. IBID.

85. IBID.
86. IBID.
87. IBID.
88. IBID.
89. IBID.
90. IBID.
91. IBID.
92. IBID.
93. IBID.
94. IBID.
95. MORNING CHRONICLE, 15 May 1855, reports: "The House adjourned about midnight." HAMILTON SPECTATOR, 19 May 1855, also reports a commentary concerning subsequent meetings of the House. It reads as follows: "There appears every disposition to bring the session to a close by the close of next week, and with that view the House is hereafter to meet on Tuesday's and Thursday's from 10 o'clock a.m. to 10 p.m." However, this information is contained nowhere in the JOURNALS.
96. LE PAYS, 15 May 1855.
97. IBID.
98. IBID.
99. LE PAYS, 16 May 1855.
100. IBID.
101. MORNING CHRONICLE, 8 May 1855.
102. IBID.
103. IBID.
104. IBID.
105. GLOBE, 16 May 1855.
106. IBID.
107. IBID.
108. IBID.
109. IBID.
110. IBID.
111. IBID.

TUESDAY, 8 MAY 1855.

(1023)

THE following Petitions were severally brought up, and laid on the table:--

By Mr. Frazer,--The Petition of Duncan McFarland and others, of the County of Welland; the Petition of Patrick Finn and others, Bailiffs of the United Counties of Lincoln and Welland.

By Mr. Casault,--The Petition of T. Edmund Campbell and others, Proprietors of Seigniories in Lower Canada.

By Mr. Poulin,--The Petition of Pierre Gigault and others, of the Parish of St. Mathias.

By Mr. Larwill,--The Petition of S. Kinny and others, of the Township of Chatham; and the Petition of James Smith, Warden, and others, of the County of Kent.

By Mr. Gould,--The Petition of Peter Anderson and others, of the County of Ontario; the Petition of Robert Wells and others, of the County of Ontario; and the Petition of John Kingsey and others, of the Township of Scott.

By Mr. Niles,--The Petition of O. Barrows and others, of the Township of Westminster, County of Middlesex.

By Mr. Aikins,--The Petition of W.P. Lacey and others, of the Village of Brampton; the Petition of John Watson, senior, and others, of Chinguacousy, in the County of Peel; the Petition of A. McLaren and others, of the Township of Caledon; and the Petition of W. Duggan and others, of the Township of Toronto, in the County of Peel.

By Mr. Thibaudeau,--The Petition of Joseph Morin and others, of the Parish of Deschambault, in the County of Portneuf.

By Mr. Mackenzie,--The Petition of Simon Clunas and others, of the Township of Oneida, County of Haldimand.

Mr. Hartman, from the Standing Committee on Standing Orders, presented to the House the Thirty-fourth Report of the said Committee; which was read, as followeth:--

(1024)

Your Committee have examined the Petitions of H. Dubord, Esquire, of the City of Quebec, for an Act to authorize the granting to him of a Patent for a certain Invention, which he holds as Assignee of the proprietor in the United States,--of James Armstrong, President, for and on behalf of the County of Elgin Agricultural Society, for an Act to authorize the sale of certain lots in London, by the said Society and that of Middlesex,--and of the Reverend J. Boucher and others, for an Act to legalize a School rate made in the Parish of St. David; and they find that in neither case has the requisite Notice been given.

The Honorable Mr. Cameron, from the Standing Committee on Miscellaneous Private Bills, presented to the House the Thirty-ninth Report of the said Committee; which was read, as followeth:--

Your Committee have considered the Bill to amend the Act incorporating the Quebec Fire Assurance Company, and to facilitate the management of the business of the said Company, and have agreed to an amendment, which they beg to submit for the consideration of Your Honorable House.

They have also considered the following Bills, and have agreed to report the same, without amendment, viz:--

Bill to divide the Townships of Norwich into two separate Municipalities:

Bill from the Legislative Council, intituled, "An Act to incorporate the Quebec Masonic Hall Association:"

Bill from the Legislative Council, intituled, "An Act to provide for an increase of the Capital Stock of the Quebec Gas Company."

Your Committee have examined the Bill to incorporate the Communauté des Dames de la Providence of St. Hyacinthe, and find that the parties proposed to be incorporated are not named in the Bill; they are therefore under the necessity of reporting that the Preamble has not been proved.

Mr. Frazer, from the Select Committee to which was referred the Proclamation issued by His Excellency the Governor General under the provisions of the Act 12 Vic. cap. 8, relative to the Public Health, and the accompanying documents, presented to the House the Report of the said Committee; which was read, as followeth:--

After a careful consideration of the subject laid before them, Your Committee have arrived at the conclusion that the Act 12 Vic. cap. 8, of the year 1849, has been found inoperative in distant parts of the Province in meeting the emergencies of Epidemic, Endemic, and Contagious Diseases as they occur. It is well-known to Your Committee that such Diseases have arisen and been fearfully fatal, in consequence of the want of legal power to organize Boards of Health at the time in localities distant from the Seat of Government, which would have power to adopt ways and means to meet the Expenditure occurred in carrying out the ... different measures considered necessary by them. Your Committee are credibly informed that such was the case on more than one occasion during the Cholera Epidemic of last summer, when the Municipal Councils had to organize upon the emergency of the occasion for self-protection, and afterwards had to apply to the Government for the issuing of the Proclamation, in order that the expenses which the Local Boards of Health might have incurred in the execution of their duty, might be met, and that they might be invested with full power to enforce obedience, if necessary, to the various measures which they deemed it wise and expedient at such a crisis to adopt.

Your Committee would therefore recommend to Your Honorable House, that the Act of Parliament 12 Vic. cap. 8, relative to the Public Health, in so far as relates to the issuing of the Proclamation, be repealed, in order that the Local Boards of Health in the different Municipalities may at all times, when the emergency may require it, possess the means of liquidating any Expenses which may be incurred in

(1025)

the adoption and carr((y))ing out of any sanitary measures which may by the said Boards of Health be deemed requisite and necessary for the preservation of the Public Health, and also, have full legal power to carry out, and if necessary enforce the observance of such rules and regulations as they may deem it wise and expedient to adopt.

The Honorable Sir Allan N. MacNab, from the Standing Committee on Railroads, Canals, and Telegraph Lines, presented to the House the Eighteenth Report of the said Committee; which was read, as followeth:--

Your Committee have examined the following Bills, and have prepared amendments to each, which they beg leave to submit for the consideration of Your Honorable House, viz:--

Bill to incorporate a Company to construct a Railway from Port Perry on Lake Scugog to intersect the Ontario, Simcoe, and Huron Union Railway, at some point between Holland Landing and King:

Bill to amend the Act to incorporate the Bytown and Prescott Railway Company, and to change the name thereof:

Bill to incorporate a Company to construct a Railroad from Peterborough to Mud Lake.

Sur motion de MR. PATRICK,¹

(1025)

Ordered, That the Bill to amend the Act to incorporate the Bytown and Prescott Railway Company, and to change the name thereof, as reported from the Standing Committee on Railroads, Canals, and Telegraph Lines, be committed to a Committee of the whole House, for Thursday next.

Mr. Pouliot, reported from the Select Committee on the Bill to amend the Act, intituled, "An Act to repeal two certain Acts therein mentioned relating to Agriculture, and to provide for the remedy of abuses prejudicial to Agriculture," That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Bill and Report be committed to a Committee of the whole House, for Thursday next.

Sur motion de MR. HARTMAN,²

(1025)

Ordered, That the Bill to incorporate a Company to construct a Railway from Port Perry on Lake Scugog to intersect the Ontario, Simcoe, and Huron Union Railway, at some point between Holland Landing and King, as reported from the Standing Committee on Railroads, Canals, and Telegraph Lines, be committed to a Committee of the whole House, for Thursday next.

On motion of Mr. Thomas Fortier, seconded by the Honorable Mr. Chabot,

Resolved, That this House doth concur in the First Report of the Special Committee to which was referred the Letter of the Clerk of the House, laid on the table by the Honorable the Speaker, in reference to the appointment of an additional Clerk Assistant, with an instruction to the said Committee to enquire concerning the capacity of each of the Officers and Clerks of this House, and their fitness to discharge their duties in the several Offices now respectively held by them, or to which they may hereafter be appointed, with a view to ensure the efficient discharge of the duties devolving upon them respectively, and another reference.

On motion of Mr. Casault, seconded by Mr. Solicitor General Smith,

Ordered, That the 62nd Rule of this House be suspended as regards the Bill from the Legislative Council, intituled, "An Act to enable Hypolite Dubord to obtain, as Assignee to George W. Livermore, a Patent for certain new and useful improvements in Machinery for making barrels and other casks."

(1026)

On motion of the Honorable Mr. Hincks, seconded by Mr. Joseph Curran Morrison,

Ordered, That the Honorable Mr. Attorney General Drummond, the Honorable Mr. Cauchon, Mr. Egan, and Mr. Taché, be discharged from further attendance on the Standing Committee on Railroads, Canals, and Telegraph Lines; and that seven Members be the Quorum of the said Committee.

On motion of Mr. Holton, seconded by Mr. DeWitt,
Ordered, That Mr. Mongenais be excused from serving on the Select Committee on the Megantic Election Petitions, in consequence of the severe illness of a member of his family.

Sur motion de MR. MERRITT,³

(1026)

Ordered, That the Honorable Mr. Robinson, Mr. Gamble, and Mr. Holton, be added to the Select Committee appointed to enquire into the present state of the Commercial Interchange between Canada and Great Britain, the British North American Possessions, the West India Colonies, the United States, and other Foreign Countries, in the room of the Honorable Mr. Young, Mr. Mattice, and the Honorable Mr. Cartier.

On motion of Mr. Gill, seconded by Mr. Chapais,

Ordered, That the 62nd Rule of this House be suspended as regards a Bill to legalize a certain Assessment and School rate in the School Municipality of St. David, in the County of Yamaska.

Ordered, That Mr. Gill have leave to bring ((in)) a Bill to legalize a certain Assessment and School rate in the School Municipality of St. David, in the County of Yamaska.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Thursday next.

Ordered, That the Bill to divide the Township of Norwich into two separate Municipalities, be committed to a Committee of the whole House, for Thursday next.

Sur motion de MR. FELTON,⁴

(1026)

Ordered, That the Bill to increase the number of Sittings of the Courts of Justice within the District of St. Francis, and to make a more convenient arrangement thereof, be printed, as amended, for the use of the Members of this House.

On motion of the Honorable Mr. Cayley, seconded by Mr. Solicitor General Smith,

Ordered, That the Orders of the day be now read.

And the Order of the day for the third reading of the Bill to incorporate the Saint Francis Bank, being read;

The Bill was accordingly read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Terrill do carry the Bill to the Legislative Council, and desire their concurrence.

The Order of the day for the third reading of the Bill to incorporate the Niagara District Bank, being read;

The Honorable Mr. Merritt moved, seconded by the Honorable John Sandfield Macdonald, and the Question being put, That the Bill be now read the third time; the House divided: and the names being called for, they were taken down, as follow:--

(1027)

YEAS.

Messieurs Aikins, Bell, Bellingham, Biggar, Bourassa, Bowes, Brodeur, Bureau, Burton, Casault, Chabot, Chapais, Chauveau, Chisholm, Church, Clarke, Cook,

Crawford, Crysler, Daly, Charles Daoust, Jean B. Daoust, Darche, Delong, Desaulniers, DeWitt, Dionne, Jean B.E. Dorion, Antoine A. Dorion, Dufresne, Felton, Ferres, Foley, Thomas Fortier, Fournier, Frazer, Freeman, Gamble, Gill, Gould, Guévremont, Hartman, Hincks, Holton, Huot, Jobin, Laporte, Lumsden, John S. Macdonald, Attorney General Macdonald, Roderick McDonald, Sir A.N. MacNab, McCann, Marchildon, Matheson, Merritt, Niles, Papin, Patrick, Poulin, Pouliot, Powell, Prévost, Rankin, Rolph, Solicitor General Ross, James Ross, Sanborn, Scatcherd, Shaw, Solicitor General Smith, James Smith, Somerville, Spence, Stevenson, Terrill, Thibaudeau, and Valois.--(78.)

NAYS.

Messieurs Larwill and Mackenzie.--(2.)

So it was resolved in the Affirmative.

The Bill was accordingly read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Merritt do carry the Bill to the Legislative Council, and desire their concurrence.

The Order of the day for the third reading of the Bill to confer a Charter on the Millers' Association of Canada West, with Banking privileges, being read;

Mr. Gamble moved, seconded by Mr. Burton, and the Question being put, That the Bill be now read the third time; the House divided: and the names being called for, they were taken down, as follow:--

(1027-1028)

YEAS.

Messieurs Aikins, Bell, Bellingham, Biggar, Bourassa, Bowes, Brodeur, Bureau, Burton, Casault, Chabot, Chapais, Chauveau, Chisholm, Church, Clarke, Cook, Crawford, Crysler, Daly, Charles Daoust, Jean B. Daoust, Darche, Delong, Desaulniers, DeWitt, Dionne, Jean B.E. Dorion, Antoine A. Dorion, Dufresne, Felton, Ferres, Foley, Thomas Fortier, Fournier, Frazer, Freeman, Gamble, Gill, Gould, Guévremont, Hartman, Hincks, Holton, Huot, Jobin, Laporte, Lumsden, John S. Macdonald, Attorney General Macdonald, Roderick McDonald, Sir A.N. MacNab, McCann, Marchildon, Matheson, Merritt, Niles, Papin, Patrick, Poulin, Pouliot, Powell, Prévost, Rankin, Rolph, Solicitor General Ross, James Ross, Sanborn, Scatcherd, Shaw, Solicitor General Smith, James Smith, Somerville, Spence, Stevenson, Terrill, Thibaudeau, and Valois.--(78.)

(1028)

NAYS.

Messieurs Larwill and Mackenzie.--(2.)

So it was resolved in the Affirmative.

The Bill was accordingly read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to incorporate the Bank of Toronto."

Ordered, That Mr. Gamble do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to amend the Act of last Session relative to the enregistration of the Articles of Clerkship of Law Students, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to amend the Act of last Session relative to the enregistration of the Articles of Clerkship of Law Students, and for other purposes therein mentioned."

Ordered, That Mr. Charles Daoust do carry the Bill to the Legislative Council, and desire their concurrence.

The Order of the day for the third reading of the Bill to exempt tools or implements of any Debtor's trade or calling, and the wearing apparel, the bedding, and other furniture necessary for the use of his family, from seizure and sale under execution for debt, being read;

Mr. Mackenzie moved, seconded by Mr. Dufresne, and the Question being put, That the Bill be now read the third time; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Aikins, Bellingham, Biggar, Bourassa, Bowes, Brown, Chapais, Chaveau, Chisholm, Clarke, Cooke, Cook, Daly, Darche, Delong, Desaulniers, DeWitt, Jean B.E. Dorion, Antoine A. Dorion, Dufresne, Felton, Fergusson, Ferrie, Foley, Thomas Fortier, Fournier, Frazer, Galt, Gould, Hartman, Hincks, Holton, Huot, Jobin, Langton, Larwill, LeBoutillier, Lumsden, Macbeth, John S. Macdonald, Roderick McDonald, Mackenzie, Marchildon, Matheson, Meagher, Merritt, Angus Morrison, Munro, Niles, Papin, Patrick, Poulin, Prévost, Roblin, Rolph, Sanborn, Scatcherd, Shaw, James Smith, Somerville, Terrill, and Valois.--(62.)

NAYS.

Messieurs Bell, Brodeur, Cartier, Casault, Cauchon, Cayley, Chabot, Church, Crawford, Crysler, Dionne, Gill, Guévremont, Laporte, Attorney General Macdonald, Mongenais, Pouliot, Rankin, Solicitor General Ross, James Ross, Solicitor General Smith, Spence, and Stevenson.--(23.)

So it was resolved in the Affirmative.

The Bill was accordingly read the third time.

(1029)

Mr. Antoine Aimé Dorion moved, seconded by Mr. Bowes, and the Question being put, That the Bill be amended by leaving out "or rents due" in Clause 2, line 19, and inserting after "force" in line 20 "or for the rent of immoveable property;" the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Aikins, Bellingham, Biggar, Blanchet, Bourassa, Bowes, Brodeur, Brown, Bureau, Cartier, Casault, Cayley, Chabot, Cooke, Cook, Crawford, Crysler, Charles Daoust, Darche, Delong, Desaulniers, Dionne, Jean B.E. Dorion, Antoine A. Dorion, Attorney General Drummond, Dufresne, Ferres, Foley, Thomas Fortier, Frazer, Galt, Gill, Gould, Guévremont, Hartman, Holton, Huot, Jobin, Langton, Laporte, LeBoutillier, Macbeth, John S. Macdonald, Attorney General Macdonald, Roderick McDonald, Mackenzie, Sir A.N. MacNab, McCann, Matheson, Joseph C. Morrison, Munro, Murney, Niles, Papin, Pouliot, Powell, Prévost, Robinson, Rolph, Solicitor General Ross, Sanborn, Scatcherd, Shaw, Somerville, Spence, Stevenson, Thibaudeau, and Valois.--(68.)

NAYS.

Messieurs Bell, Chapais, Daly, Jean B. Daoust, Ferrie, Fournier, Lumsden, Mongenais, and Poulin.--(9.)

So it was resolved in the Affirmative.

Resolved, That the Bill do pass.

*Ordered, That Mr. Mackenzie do carry the Bill to the Legislative Council, and desire their concurrence.*⁵

MR. INSP. GEN. CAYLEY moved the second reading of the Bill to grant further aid to the Grand Trunk Railway Company.⁶

MR. BROWN enquired if the Bill had been referred to the Standing orders Committee.⁷

MR. INSP. GEN. CAYLEY replied that it had not.⁸

MR. BROWN said it was to all intents and purposes a private Bill, which should have been brought in on petition, and gone through all the forms required for private Bills. The Standing order of the House on this subject was perfectly clear, but in regard to the present Bill the rules had not been complied with no petition having been presented for it, and no notice given. According to May the only exception was in the case of Bills relating to Public Works, brought in by Ministers of the Crown, which could be introduced without a petition, but in every other respect their progress through Parliament was subject to all the regulations prescribed for the conduct of Private Bills. This was essentially a private Bill, its object being to give aid to a private Corporation, it contained moreover, a clause authorizing the Company to take their road to London, thus directly interfering with the interests of other Companies and of private individuals. All the previous Acts obtained by the Company, their original charter, and the Act of last autumn diffusing the guarantee, were brought in on petition and treated throughout as Private Bills and so should this. He would not perhaps have raised this objection to the Bill, if it had not been of such great importance and if it had not been kept back till the very close of the session, when it was impossible to ... obtain on it an expression of public opinion. But when he saw the manner in which it was being pressed through, without the people almost having heard that such a Bill was before the House, he thought it his duty to urge that it should be made to comply with all the rules, wisely framed for the protection of both public and private interests.⁹

MR. PRES. EX. COUN. MACNAB complained that this objection came on the Government with some surprise.¹⁰ L'hon. membre ... aurait dû, par courtoisie, l'avertir de l'objection qu'il voulait soulever afin qu'il pût se préparer pour y répondre.¹¹ The present Bill he contended was a public Bill introduced by the government, who had a much higher and greater responsibility to discharge to the House and the country than any standing committee could possibly have, and no notice was required as in the case of a private bill interfering with private interests.¹²

MR. J.S. MACDONALD (Glengary) was astonished that the hon. Premier should lay down such a principle as this, that the Government could bring in Bills affecting private interests of their own responsibility without complying with the rules. Such an idea could not for a moment be sustained by the House. This was to all intents and purposes a private Bill, which could only be introduced on petition, and yet they were proceeding with it without the slightest evidence that the company wanted it, or that the shareholders were even aware that it was to have been brought in.¹³

MR. HINCKS said that no petition was required from the stock holders. It did not in any way interfere with private rights, for it only purposed to lend the

company money, but it did not compel them to accept the loan. There was another circumstance also which should be kept in view. In 1849 an Act was passed, authorizing Provincial assistance to be given to railway companies at the rate of 50 per cent on the cost. That was carried through as a public Bill, but subsequently in the Grand Trunk charter a certain limitation was put upon that, that as regarded the Grap (sic) Trunk there should not be so large an amount of guarantee, and the object of the present Bill was to remove that limitation and to restore the Grand Trunk to the footing under which it would have stood according to the Act of 1849. It was therefore essentially a public act.¹⁴

MR. AT. GEN. J.A. MACDONALD also looked upon it, as a public Bill, giving a rational subscription to an enterprise fostered for the general benefit of the whole country. It was no more a private Bill than was a Supply Bill granting aid here and aid there to private Institutions. In the former part of the session a Bill diffusing the guarantee was passed as a Public Act, and the point now raised was not even mooted then. And the question had already been decided in the case of the present Bill, the House having permitted shareholders in the Grand Trunk to vote on it.¹⁵

MR. FERRES--contended that the objection taken in this case was quite groundless. The resolution was to enable the Government to determine whether the Government itself should make the advance, and it was entirely within the direction of the Government to make the advance if they thought fit. This could not be considered a private bill in any sense, if it were, of course it would have been proceeded with according to notice.¹⁶

MR. BROWN said the arguments brought forward to combat the point he had raised were strange enough. The hon. Attorney General said that the Bill for diffusing the guarantee introduced in the first part of the session was introduced and carried out as a public Bill and he cites it as a parallel case to this; now what was the fact?--that the very Bill cited was introduced by petition, was sent to the standing orders committee, was sent to the Railroad committee and passed through all the forms of a private Bill,--and it could not have passed this House otherwise. (Hear, hear.)¹⁷

MR. PROV. SEC. CARTIER.--It is not a parallel case.¹⁸

MR. BROWN.--The Attorney General said it was a parallel case, and on such a point the Provincial Secretary should bow to his learned colleague's decision. But this was even a stronger case, for the present Bill interfered directly with private rights for it declared where the line should run, and it affected the rights of existing Companies.¹⁹ Ce bill est privé parce qu'il accorde à la compagnie le droit de continuer le chemin jusqu'à Landon (sic), et il n'y ((a)) aucune pétition demandant cette extension, sur la résolution sur laquelle est basé ce bill; on a dit que le chemin ne pourrait pas être continué si la législature n'accordait pas ces 900,000L; mais pourquoi n'y-a-t-il pas de pétition demandant cette aide, et si le chemin ne pourrait être continué sans cela, le bill qui lui accorde cette aide est donc fait expressément dans l'intérêt de la compagnie, et par conséquent c'est un bill privé.²⁰ It also did away with the rights of the whole of the parties who held the A series of bonds. The original Grand Trunk Act declared that the Provincial guarantee already advanced should hold a first lien on the road, and that the bonds of the Company should hold a second lien but by this Bill it was proposed to sweep away the rights of those bond holders, and to declare that this new advance should come in before them. He asked if it was competent for them to do so, without any

application from the parties interested. All that the Government proceeded upon was a letter from Messrs Baring and Glyn, the agents of the Province, to the Inspector General, and a letter from Sir Samuel Peto, one of the contractors, to Messrs Baring and Glyn. But letters from those three parties were not sufficient. There ought to have been a regular application from the company, before they proceeded a step in the matter. The hon. member for Renfrew said that the original Grand Trunk Act merely removed certain limitations pressing upon the Grand Trunk. How could this be when until the Act passed to which the hon. gentlemen (sic) referred, there was no Grand Trunk Company in existence?--that Act created the Grand Trunk Company, and how could there have been a restriction previously on them? The Attorney General West said the point had already been decided as to this Bill, when hon. members were called upon to declare how far they were interested in it as shareholders. He (Mr. B.) apprehended that the argument from that fact told entirely the other way. For if it had been a public Bill, the House would have ruled that the question could not be put to those members. But the very circumstance that the House sustained the Speaker in putting the question to those gentlemen whether they had an interest as shareholders, shewed clearly that it was a private Bill to all intents and purposes and that such was the sense of the House (Hear, hear.) With regard to the doctrine laid down by the gallant knight that when the Government introduced a Bill, that circumstance made it a public measure, the hon. gentleman would find by consulting May that in several cases Bills introduced by the Crown in England, had been stopped in their progress on the very ground he now urged, that they affected private rights, and had not complied with the rules applicable to private Bills.²¹ L'hon. chevalier a dit que le gouvernement avait été pris par surprise par l'objection qu'il (M. B.) vient de soulever, mais il ne devrait pas s'en plaindre, car c'est bien la faute du gouvernement, et s'il usait d'un peu plus de courtoisie envers l'opposition, il serait en droit d'un attendre de sa part. Mais il n'a pas pu donner avis de son objection au gouvernement, parce qu'il n'a su que la question allait être amenée devant la chambre qu'un quart d'heure avant qu'elle fût proposée, et alors il s'est rendu à la bibliothèque et a trouvé des autorités pour faire cette objection. Si le gouvernement agissait plus courtoisement envers l'opposition, et s'il donnait en (sic) moins un jour d'avis des mesures qu'il se propose d'amener, il ne serait pas pris pas (sic) surprise, et les membres pourraient lui donner communication de ce qu'ils se proposent de faire. Ainsi, s'il y a quelqu'un à blâmer dans cette affaire, c'est le gouvernement lui-même.²²

MR. LANGTON, as chairman of the Standing Committee, would remark that in his opinion, if the bill were referred back, the committee would decide that it did not require a petition or notices. The rule required that these notices should be given of bills for building railways, docks, &c., or any other public work. Now this bill gave no such power, it was not a bill to authorize the making of a road by a company, but the loaning of money to a company.²³

MR. PROV. SEC. CARTIER remarked that the object of the bill was not to authorize the company to borrow, but to authorize the Government to loan, and its provisions in no way affected the charter of the company.²⁴

MR. HINCKS said he had found, since the discussion commenced, a case completely in point, of a Bill carried through the Imperial Parliament in 1849 to give loan to²⁵ the Athlone and Galway Railway in Ireland,²⁶ which had been carried through all its stage as a public Bill.²⁷

MR. INSP. GEN. CAYLEY dit que ce bill doit être considéré comme public, parce qu'il n'est pas fait pour donner de l'argent à une compagnie, mais seulement pour en prêter; si la compagnie le demande, mais si elle ne le demande pas, le gouvernement gardera son argent. Ainsi, il n'y avait pas besoin de pétition pour demander que le gouvernement ait le droit de prêter une somme d'argent. La seule clause qui pouvait donner au bill un caractère privé est la troisième²⁸ ((OR)) the clause authorizing the Company to go to Trois Pistoles, Peterborough, London, and Sarnia.²⁹ Mais cette clause ne devait pas s'y trouver et elle a été imprimée par erreur, sans qu'il en ait eu connaissance. Le gouvernement n'a jamais eu l'intention de mettre une clause de cette nature dans le bill, tellement que lors de la première lecture, il n'a soumis que le titre du bill, que parce que le bill imprimé contenait cette clause, que le gouvernement n'a jamais eu l'intention de soumettre.³⁰

MR. BROWN.--Comment se fait-il donc que cette clause se trouve dans le bill sans la connaissance du moteur? Qui l'a insérée et d'où vient cette erreur?³¹

MR. INSP. GEN. CAYLEY.--Je ne sais pas! (Écoutez! écoutez!)³²

MR. BROWN.--Dans ce cas, puisque le bill que nous avons devant nous n'est pas celui qui a été soumis à la chambre lors de la première lecture, il ne peut subir sa seconde lecture sans être imprimé de nouveau. Cela serait contre les règles de la chambre.³³

MR. PRES. EX. COUN. MACNAB declared that that clause formed no part of the bill. It had got there by mistake.³⁴

MR. BROWN.--The Act referred to by the member for Renfrew was to create work for the unemployed poor of Ireland, and it had not been thought necessary to take exception to it on the ground of its being a private Bill. But the course pursued was in direct opposition to the rules of the House, and if exception had been taken, it would undoubtedly have been sustained.³⁵

MR. FREEMAN remarked that the bill was intended undoubtedly to authorize the company to borrow money as well as the Government to lend it, and it regulated the mode in which all that was to be accomplished, by mortgaging the road for the security of the loan. If that was not a private bill, he did not know what a private bill was.³⁶

MR. MACKENZIE, said it was clearly a private Bill, affecting private rights and interests, the very ground on which its passage was urged being that the works must stop and the Contractors could not be paid, unless this new guarantee was advanced. He hoped the rules would be enforced, according to their plain meaning. He considered there was a great impropriety in twisting the rules of the House to serve either one party or another. If they were enforced, as they were the other day, to throw out a Bill asked for by the people and which had been for seven months before Parliament, and if they were now relaxed to let this measure go through without giving the people time to know anything about it, it would look as if the rules were made more for the advantage of a party, than for the protection of the public.³⁷

MR. GALT considered that the entire circumstance of this bill showed it was not a private bill. There was also this precedent for the course now adopted to be found on the journals of the Canadian Parliament. There had been an act granting to

the Great Western the Provincial guarantee for a part of the road on which it previously had no right to claim it, and that was introduced without petition or notice.³⁸

MR. J. MORRISON, Niagara, ((also)) argued that the mile (sic) in question were not applicable to the present case.³⁹

MR. SICOTTE the SPEAKER then gave his decision on the point raised by Mr. Brown. He considered it a public Bill in so far as it related to the appropriation of public money, and to that extent it was not necessary to have it introduced by petition.⁴⁰ ((He found)) his decision on the precedent of the "loyalty loan" in England, where the question had been decided in that sense.⁴¹ The hon. gentleman's objection, however, would stand good against the third clause of the Bill, as to the direction of the line, which clearly interfered with private interests. If that clause did not form a part of the Bill, another question arose whether the House was now in possession of the Bill at all, so as to be enabled to proceed to the second reading. If the Bill the Inspector General intended to introduce had not yet been printed, the second reading could only now be gone on with, by the unanimous consent of the House. ((He)) ... called the Government to say if the third clause was now or was ever intended to stand part of the Bill.⁴²

MR. INSP. GEN. CAYLEY declared that it was not and never had been intended to form part of the Bill⁴³.

Plusieurs membres font alors la remarque qu'il est assez étrange de voir qu'une clause soit ainsi introduite dans un bill sans que le gouvernement en ait connaissance, et surtout sans que celui qui conduit le bill le sache⁴⁴.

The House agreed not to insist on the reprinting of the Bill but to strike out the third clause⁴⁵.

On the motion of the ... ((second)) reading being then put,⁴⁶

MR. BROWN said he had already fully explained his reasons for voting against the resolutions on which this measure was founded, and it was not therefore necessary to recite the objections he entertained to the Bill itself. He did not find in it any more protection to the interests of the Province, as regarded the expenditure of this additional grant that there had been in the previous Grand Trunk Bills. He was satisfied from reading the reports⁴⁷ of the Provincial Engineers⁴⁸ laid before the House that very little check had been exercised over the expenditure of the Provincial guarantee. In fact there had been no satisfactory check whatever, and he thought it would be most inexpedient to go on in the same way, paying 75 per cent on all the works hereafter to be built. There was nothing to prevent the issue of the debentures according to the system hitherto pursued; the Government having handed over the 1,811,000L of guarantee to the agents of the Province, before the conditions on which it was to be issued were fulfilled, and Messrs Baring and Glyn held this enormous sum subject to call. There was another provision of the Bill also to which he could never give his sanction, that which made this new Government loan a first lien on the road, giving it a precedence to the injury of the holders of the A series of bonds. Such a course he conceived would bring discredit on the Legislation of this Province.⁴⁹

MR. CAMERON said that, after the declaration of the Government that the third clause had been inserted erroneously, it was his intention to vote against the Bill.

Giving the Company power to go to London, so as to have a Western terminus to the line, furnished, as he conceived, the only security to the Province for this loan, and as the Government had declared their intention not to give that power, he could not support the Bill.⁵⁰

MR. PRES. EX. COUN. MACNAB said the hon gentleman, in the previous discussion, had stated his opinion, as a lawyer, that the Company had no right to go to London, and it was impossible to have introduced and carried that clause, affecting private interests, without giving notice of it, and treating the measure as a private Bill.⁵¹ Yet now, because the House would not set all its rules at defiance the hon gentleman would vote against the bill.⁵² The reason the hon. gentleman had given for opposing the Bill would not do him credit in the eyes of the country.⁵³

MR. CAMERON said he had no more fears than the gallant knight himself of the view the country would take of his conduct, so long as he acted in this House to the best of his judgement. And as to the striking out of the clause, was the gallant knight not aware that in the opinion of the Attorney General West⁵⁴ ((OR)) Mr. Cartier⁵⁵ the Company had a right, as the law now stood, to go to London? And had he not heard the member for Renfrew say, after his (Mr. C's) remarks on the subject, it was the first time he had heard any doubt thrown on the right of the Company to go there? Was he told therefore, when he, believing the Company had not that power, desired a clause to be introduced saying that they had--was he to be told that they wished to destroy the measure.⁵⁶

MR. HINCKS regretted to find the hon. member for Toronto announcing that he would oppose the Bill, because that clause was not kept in it, for he thought the reason given by the gallant knight for withdrawing it was unanswerable, that it would have changed the whole character of the measure and made it a private Bill. As far as his humble voice would go, as a Director of the Grand Trunk, he would endeavour to get it carried to London, and he was gratified to hear the member for Toronto expressing himself in favour of that course. For ever since the charter was granted, there had been a strong opposition on the part of the City of Toronto to the road being carried to London, but the reasons of that opposition he could never comprehend.⁵⁷

MR. CAMERON demande si le gouvernement avait l'intention de mettre dans le bill une clause de la nature de la troisième, et si elle est retranchée seulement parce qu'elle donnerait au bill un ((autre)) caractère.⁵⁸ ((OR He)) repeatedly ... ((asked)) the ministry to say whether the clause in question was put by them in the bill, or if not how it came there.⁵⁹

MR. INSP. GEN. CAYLEY répond que la troisième clause n'est pas retranchée, parce qu'elle ne fait pas réellement partie du bill, et qu'elle doit être considérée comme n'y étant pas; qu'il a été question d'une clause de cette nature lors des délibérations du conseil sur le bill, mais que celle qui a été écrite n'est pas celle qui a été imprimé(e).⁶⁰ ((He)) said the clause as originally drawn was merely to save the rights of parties having interests on other lines. But when it came from the Law Clerk, he found that clause had been changed to an enacting clause.⁶¹

MR. CAMERON dit que dans ce cas il sera forcé de voter contre le bill, parce qu'il veut avoir un débouché au chemin, mais que cependant si l'officier en loi de la couronne, le proc.-gén. Ouest dit qu'il est d'opinion que la compagnie peut

continuer le chemin jusqu'à London, et s'il a l'assurance que cela se fera, il votera en faveur.⁶² ((OR)) He would vote for the second reading, if the Government told him that the clause had been omitted, for the simple reason that it would have made the measure a private Bill.⁶³

MR. AT. GEN. J.A. MACDONALD said it had been agreed to insert a clause, that nothing in the Bill should prejudice the existing rights of the Company to go to Sarnia, Trois Pistoles or elsewhere, but it had never been intended to create new rights, as was done by the clause which had erroneously found its way into the Bill. The member for Toronto asked whether it was struck out on the ground that it made the measure a private Bill. It was not, for it was never contemplated by the Government to be introduced at all. His own impression was, that under the present Act, the Company had a right⁶⁴, under its old Toronto and Guelph charter,⁶⁵ to go to London. If he was correct in this, there was no use for the clause. If they had not the power, as was maintained by the member for Toronto, to have inserted the clause they would have made it a private Bill, although he did not say that was the reason why it was struck out, for that consideration never suggested itself.⁶⁶ With respect to the desire expressed by hon. members to have the road carried forward to Trois Pistoles and Sarnia or London, he would remark that if the aid now asked for was granted, it would complete the road to Stratford and St. Thomas in the way towards those points, and, so soon as possible, no doubt, the remainder would be proceeded with. But the road from St. Thomas to Stratford could not be completed before the autumn of 1856. Parliament would meet in February, and would then have ample time to make the necessary provision for carrying the work forward to London or Sarnia. If the Company, as the honble. member for Renfrew had said, desired to have authority to go to London, and legislation were needed for that purpose, there would be ample time to get it next session.⁶⁷

MR. BOWES said he had hesitated a good deal whether to support the Bill or not, in its present shape.⁶⁸ It was a great mistake of the Company to have built so much of the Eastern sections of the road. They should have begun at the Western end, and worked Eastward.⁶⁹ If the guarantee had been for the completion of the road between Stratford and Sarnia, he would have had no hesitation, for that portion of the road would have been sure to pay 6 or 10 per cent. The member for Renfrew said the citizens of Toronto had always been opposed to the road's going to London. They were so still, if they could get it to go to Sarnia, but they would prefer going to London to the alternative of stopping at Stratford, which was no place at all, but a mere swamp.⁷⁰

MR. RANKIN asked if the hon. member would avocate the extension of the road to Sarnia until the Northern Michigan road was built.⁷¹

MR. BOWES said yes! The Americans would be certain to build their road through as soon as we gave them an eastern outlet. He felt confident that road would be made.⁷²

MR. RANKIN said the hon. member's confidence could only rest on hearsay evidence. To build the road to Sarnia, until the American road was built, was only to add to the losses from unremunerative works already sustained by the Company.⁷³

MR. ROBINSON could not agree with the hon. member. He believed that the Americans would immediately go on with their road from Fort Gratias, opposite

Sarnia, and finish it to Grand Haven on Lake Michigan, as soon as they found we were really making our road to Sarnia. Neither could he take the same view of the question before the House as the hon. member for Toronto (Mr. Bowes). That hon. member said he could not vote for the 900,000L, unless he were assured the road would be immediately extended to Sarnia and London. Now, he (Mr. R.) was just as anxious for the road to go to Sarnia as that honble. gentleman, and he had no objection that it should go to London, too; but he thought the best way to secure either extension was to get the road finished to Stratford as soon as possible; and here he would take the opportunity of correcting a statement made a few evenings ago, that the road if made only to Stratford, would end in a swamp. Nothing could be farther from the truth. Stratford was a fine rising town, the seat of the Courts of Justice for the County of Perth, with many extensive mercantile and manufacturing establishments doing a large business. It was now the market town for an extensive and fertile country, and even if the road went no further, an immense amount of produce would be collected there from the five townships to the north and from the surrounding country, which would all go over the road. The road to Sarnia was now under contract, he believed, and nothing he repeated, would hasten its completion more than finishing the road to Stratford. He would, therefore vote for the proposed grant.⁷⁴

MR. DALY also vindicated the character of Stratford⁷⁵. ((He)) said the Stratford people could very well bear the soft impeachment, about being in a swamp, coming from Toronto people. That town was already the nucleus of three or four railways,--the Grand Trunk, the Buffalo, Brantford and Goderich, and in a few years he hoped to see the Saugeen road also built. It was in the centre of the United Counties of Huron, Perth and Bruce, which had increased 600 per cent since last census, and fine gravel roads had been built from it in every direction; in these regards the County of Perth, of which it was the Capi((tal)) was the model county of the west. For the rest, the hon. member for South Simcoe had fairly enough described its capacity to provide traffic to a railway. With the completion of the Buffalo and Brantford road to Goderich, too, it would have a feeder from the rich counties lying at the north. He did not see that anything was to de (sic) gained by going to London. It was not to be supposed that the Great Western Company would allow their traffic to be diverted from their road at that point.⁷⁶

MR. MARCHILDON opposed the Bill.⁷⁷

MR. HINCKS, as to the intentions of the Company in regard to completing the line to its Western terminus, said, the Company had not altered their original plans in the slightest degree. It was still their intention to go to Sarnia, and they were most anxious to go to Sarnia, via London. (Hear, hear, and laughter.)⁷⁸

MR. A. DORION (de Montréal) ayant déjà exprimé ses vues sur cette question, désire seulement faire remarquer que ce bill ne contient aucune clause pour protéger les droits de ceux qui ont des hypothèques sur aucune partie du chemin. Au contraire la clause première propose de donner à la province une première hypothèque sur toutes les parties du chemin pour cette nouvelle aide de 900,000L. Cela est évidemment injuste envers ceux qui comme le séminaire, et la cité de Montréal, ont prêté leurs bons ou leur crédit pour terminer le chemin du St. Laurent et de l'Atlantic, ont pris des hypothèques ou des parts privilégiées sur la foi d'un acte public qui les y autorisait⁷⁹, Act 12th Victoria, chap. 176⁸⁰. Les sûretés du séminaire et de la corporation de Montréal deviendront nulles, si leur droits sont

ainsi négligés, il désire attirer l'attention du gouvernement sur ce point. La cause du séminaire de Montréal et de la cité de Montréal est d'autant plus honorable (sic) qu'ils n'ont pas avancé leur crédit dans un but de spéculation, mais pour promouvoir une entreprise d'un intérêt public.⁸¹

MR. J.S. MACDONALD hoped the hon. member for Toronto would be satisfied with the declaration of the hon. member for Renfrew respecting the intentions of the Company --only, unfortunately, it would need an act of Parliament to secure the fulfilment of such pledges, and that sometimes failed to secure that end, as acts of Parliament were twisted any way to suit the purposes of members of the Government and others. As for mere declarations, he remembered when the hon. member for Renfrew, then Inspector General, declared that the cost of the road was of no consequence to the people of Canada, they would only have to guarantee so much per mile--nay, it was uncertain whether that would ever be made use of at all. They saw to-day how much that declaration and others of that hon. gentleman were worth.⁸² The member for Toronto might rest satisfied that the company had abandoned their intention of going to Sarnia, as much as they had abandoned the road to Trois Pistoles. (No! yes!) It was a farce to talk of making these roads, when they required this additional grant of 900,000L to enable them to finish a portion of the road, leaving 335 miles of their original contract untouched.⁸³

MR. BELLINGHAM said it was too bad that the member for Renfrew, representing an Ottawa constituency, did not do something for that part of the country. It was interesting for the Ottawa people to observe how these parallel roads could be built at the Western extremity of the Province, and all receive Government aid, while not one copper could be got for the Ottawa roads. Perhaps, however, as the Grand Trunk under the instructions of the hon. member, intended to go to Sarnia, via London, he could turn a little farther out of the direct course, and benefit his constituents by bringing it round by the Ottawa⁸⁴ to Lake Huron.⁸⁵

MR. RANKIN said the faith of the country was pledged to the completion of this work, and the most disastrous consequences might follow from the refusal of Parliament to assist the company with this grant. While, however, he was prepared to vote for the bill as necessary in order to keep good faith and maintain our credit, he owed it to himself as a man of common sense to show that he appreciated the grounds on which the application was based at their true worth.--They were told that all the difficulties in the way of the company arose out of the state of war and consequent derangement of the money market. But the fact was, the company had set out with a determination to carry out its scheme quite irrespective of the advice or wishes of the people of this country. They had met with opposition on this head and on the other, and had found it expedient to buy off opposition and amalgamate interests. In that way they had been involved in an unnecessary expenditure, which if they had adhered to their original scheme might have been avoided, and a prospect of a remunerative investment afforded to stockholders. Now, there was no chance of the work paying for years to come, and the people here were so well convinced of the fact that of the 856,000L⁸⁶ ((OR)) 857,000L⁸⁷ reserved for this country, not one copper was taken up. Here was the origin of one of their embarrassments. The facts all along known here were now coming to be known in England, and hence an increase of the difficulties of raising money. They were beginning to feel that the people in whom they had reposed confidence, persons whom the people of this country had placed in a position to inspire confidence in their representations respecting the interests of the country had misled them. He did not mean to say that they had

intentionally mistaken or misrepresented facts, but they had certainly sanctioned such representations as misled English capitalists, with regard to the nature of the investment. It might have been that the bad bargains were not suggested by the parties to whom he referred--one an hon. member of that House, and a member of the last Government--the other now, as then, occupying a distinguished position in the other House of Parliament and the government of the country; but they did not do what they should have done to prevent a consummation of which the English stockholders and the people of this country had just cause to complain. Statesmen desirous of maintaining the credit and honor of the country would have done this, and by failing in their duty, in this regard, they had merited the loss of that confidence which the country at one time reposed in them. Yet because this was the case, he was not one to shrink, as one of the people, or as a representative of the people, from shielding the people who had been led innocently into this project on the faith of the representations of the rulers of this country from immediate disaster, though he had not contributed in any way to give them the position which enabled them to do this wrong. The English stockholders who had acted throughout in the best faith were not chargeable with blame, and it would be disastrous to the future credit of the country if they were allowed to suffer. He was prepared to bear his fair share in the losses incurred. Another ground urged for this grant was that the contractors could not dispose of the B. series which he believed they had agreed to take as so much cash on their contract.⁸⁸

MR. HINCKS.--they had originally done so, but were relieved by the company last year, and that act had been ratified by Parliament.⁸⁹

MR. RANKIN.--Well, it was now pretended at least that the B series was unsaleable, because a quantity of the A series had been thrown upon the market. Now, it was very well to tell boys that this was because of the pressure on the money market in consequence of the war, but business men could not be so deceived. The holders of the A series had never yet suffered any loss of interest on the amount paid up. They had been provided for by the contractors. Then, why was it, unless they began to doubt the future value of the stock as an investment that they were anxious to divest themselves of it?⁹⁰

MR. HINCKS.--they were not.⁹¹

MR. RANKIN.--It was so represented in the printed statement put into the hands of the members.⁹²

MR. BROWN said, undoubtedly it was so.⁹³

MR. HINCKS.--That just showed that the hon. member for Lambton did not understand the matter. Not one share of the A series held by English stockholders had been put on the market. The shares referred to were those of the St. Lawrence and Atlantic Road, held in Canada and made Grand Trunk shares by the amalgamation.⁹⁴

MR. BROWN.--It was all the same.⁹⁵

MR. RANKIN would waive that point--granting it was Canadian stock, what effect has its immediate sale pressed on the market?⁹⁶

Hear hear from MR. HINCKS.⁹⁷

((MR. RANKIN continued:)) By these means the people of England were getting information which had been kept back by the hon. gentlemen who had acted on the part of the Province in getting up the scheme.⁹⁸

MR. HINCKS.--I never ran down the prospects of my country.⁹⁹

MR. RANKIN was not to be diverted from his course or put down by these fierce interruptions of the hon. member for Renfrew. He did not desire to make disagreeable personal references, but he should not shrink from making them where he felt it necessary to do so, nor from any consequences that ... might attach to his remarks. He should endeavor fearlessly to do his duty with the best ability God had given him, regardless of smiles or frowns. He had hardly hoped the hon. member, who had carried everything before him so long in that House by dint of swagger, and had been surrounded by people accustomed to shrink back appalled at his form, would have borne quietly the plain talking of a plain farmer like himself. There were other means of running-down a country than directly decroying (sic) its resources. There were none, perhaps more effectual than to allow people to be deceived respecting the profits to be derived from investments in its public undertakings, and to find out by bitter experience that they can expect no return--by creating and sanctioning schemes destined to lead to such disappointment and the consequent disfavor of its securities in the eyes of capitalists; & he must persist in the assertion that much of the difficulties now experienced by the Company was the consequence of bad faith on the part of that hon. member at the outset--not that he had made positive mis-statements himself, but that he had allowed English capitalists to deceive themselves and be deceived, and had not used his undoubted talents to save them from investments which he must have known would le((a))d to loss. And now, the people of England were beginning to discover what we knew from the first--the same reason which induced Canadian Stockholders to sell their St. Lawrence and Atlantic shares, and to refuse to take up the reserved shares, made them now unwilling to invest in the B series--so far from producing 11 per cent.¹⁰⁰

MR. BROWN.--11½ per cent.¹⁰¹

MR. RANKIN.--It would not produce over three. The road between Quebec and St. Thomas would not yield one per cent. or that from Toronto to Stratford over two. He was convinced that this grant was only one step of a series that must be taken ere the country saw the end of this scheme. But he would not shrink from it on that account. We might, he knew, cancel the contract with the Company and the contractors like an individual; we had fulfilled our share of the contract. They had not. But he would not be one to advocate that course. The people of England who had invested their money in the scheme had acted in good faith though blame rested somewhere, and he had not hesitated to say where he believed it should rest; it was not on the shoulders of the English shareholders. He thought the present Government deserved great credit for the care which they had bestowed upon this matter and the securities they had provided that faith would be kept with the Province by the Contractors. The money could only be paid out on the certificates of engineers employed by Government for the purpose, and only for work done after this, not on the old. He believed the country and the Company would suffer if the work was prosecuted on the Trois Pistoles section, or on the Stratford and Sarnia section until the Michigan road was completed. The Montreal and Toronto road would pay, or the road from Montreal to Windsor, via London. He proceeded to argue at some length that, until the completion of the Michigan road, the Sarnia route would not pay;

that until the road was completed, Sarnia had only a portion of the lake trade, not sufficient, nor of a nature to supply traffic to a railway. He had been surprised to hear the hon. member for Renfrew say that the Grand Trunk proposed to go to Sarnia, via London--why, the Great Western had a charter for a branch to Sarnia, and thus there would be competing lines for all that distance--and this from an honorable member who always professed such a horror of competing lines. He could very well understand that the members for Toronto would like them to go to London, Sarnia too; for, with that sort of local patriotism by far too common now-a-days, they would favor everything that brought grist to their mill--Toronto. Before sitting down, he begged to say that if in the course of his remarks he had said anything of a disagreeable nature about any hon. member, he had done so out of no feeling of personal pique or animosity--with no desire to give offence, or cause pain--but because he felt it right that the truth should be plainly spoken, and the blame thrown on those who merited it. He felt that the difficulty, arising out of the connection of the Province with this work, was one that should be settle((d)) "en famille"--one, the responsibility of which we had no right to visit on the English shareholders. We must ourselves take the consequences of the acts of the rulers whom we had ourselves chosen.¹⁰²

DR. CLARKE spoke against carrying the Grand Trunk to London, to the injury of the Great Western stockholders.¹⁰³

The question on the second reading being then put the House divided.¹⁰⁴

(1029)

The Order of the day for the second reading of the Bill for granting additional Aid by Loan to the Grand Trunk Railway Company of Canada, being read;

The Honorable Mr. Cayley moved, seconded by the Honorable Mr. Attorney General Macdonald, and the Question being put, That the Bill be now read the second time; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Alleyn, Bell, Bellingham, Blanchet, Bowes, Brodeur, Burton, Cartier, Cauchon, Cayley, Chabot, Chapais, Church, Clarke, Cooke, Crawford, Crysler, Daly, Jean B. Daoust, Attorney General Drummond, Dufresne, Felton, Fergusson, Ferres, Ferrie, Foley, Thomas Fortier, Octave C. Fortier, Fournier, Galt, Hincks, Holton, Langton, Larpill, LeBontillier, Lemieux, Lumsden, Macbeth, Attorney General Macdonald, Sir A.N. MacNab, Meagher, Mongenais, Joseph C. Morrison, Angus Morrison, Munro, Murney, Pouliot, Rankin, Rhodes, Robinson, Roblin, Solicitor General Ross, James Ross, Shaw, Solicitor General Smith, James Smith, Southwick, Spence, Stevenson, and Terrill.--(60.)

(1030)

NAYS.

Messieurs Atkins, Biggar, Bourassa, Brown, Bureau, Cameron, Chisholm, Christie, Cook, Charles Daoust, Darche, Delong, Desaulniers, Jean B.E. Dorion, Antoine A. Dorion, Dostaler, Fraser, Freeman, Gould, Jobin, John S. Macdonald, Roderick McDonald, Mackenzie, Marchildon, Merritt, Niles, Papin, Prévost, Rolph, Sanborn, Scatcherd, Somerville, Thibault, Valois, and Wright.--(55.)¹⁰⁵

So it was resolved in the Affirmative.

Notice being taken that Mr. Galt, who voted with the Yeas, is a Contractor on the line of the Grand Trunk Railway, he was heard in his place; and stated that he is interested in a Contract entered into with the Toronto and Guelph Railway Company prior to its amalgamation with the Grand Trunk Railway Company; that that Contract provides for no other mode of payment than Cash, and that no Provincial Debentures are given to the Contractors in payment of their work.

And then he withdrew.

MR. HOLTON desired, as his vote was, he supposed, to be challenged, on the same ground as that of the hon. member for Sherbrooke, to take opportunity to make a personal explanation of his connection with the Company, as he knew much misconception prevailed respecting it. He had no other interest in the grant than that stated by the hon. member for Sherbrooke--no such interest as prevented him from giving an independent vote on the question before the House. He was not paid for work done in Provincial debentures or the stock or bonds of the company. The firm of which he was a member had a contract for work to the amount of about 1,000,000L, of which they had already been paid and earned 700,000L. The work, with that 700,000L expended, was a security for the remaining 300,000L from the company--so that their payment was sufficiently provided for, and he could deal with this question as an independent member.--He voted for the measure before the House because he believed that the difficulty must have been dealt with much in the same manner by any public government in this country. He supported the Government scheme, because of the necessity of the case, not because he liked it or had approved of the policy of the company or those who created it at its inception, or its management since. He felt there was no other alternative than to vote for this loan or for the Province to assume the work altogether, a course which he should consider much more disadvantageous for the Province. His business relations with the G.T. Co. were perfectly understood by his constituents when they elected him, and he felt it his duty not for personal considerations or to escape the disagreeable imputations that might be cast upon his conduct to refrain from voting, and thereby in part disfranchise a constituency interested more deeply perhaps than any other in the early completion of the work. He should esteem it cowardly under such circumstances to shrink from voting in order to escape personal censure. And he had endeavoured to give such a vote on that side of the House as, if the accidents of politics should place him on the ministerial side, a supporter of his honorable friend before him, he should feel called on to give and to justify there.¹⁰⁶

MR. MERRITT thought it made no difference whether the Contractors were paid in debentures or cash. The Provincial Debentures would go, if granted, to raise the wherewithal to pay them.¹⁰⁷

MR. A. DORION, Montreal, thought the case of the contractors very different from that of the shareholders. The contractors had no direct interest in the vote. They looked to the company for their pay, and the company must provide the means to meet their claims. The vote was in favor of the company, not of the contractors. As to the vote he had given, he had not, like his hon. colleague, looked forward to the accidents of political life at all, but had considered carefully what course would best promote the interest of the Province.¹⁰⁸

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Mr. Mackenzie moved, seconded by Mr. Bureau, and the Question being put, That Mr. Galt, a Member of this House for Sherbrooke, who has just voted, being an

extensive Contractor on the line of the Grand Trunk Railway, is thereby disqualified from voting under the 11th Rule of this House; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bourassa, Brown, Bureau, Burton, Chisholm, Charles Daoust, Darche, Desaulniers, Jean B. Dorion, Dostaler, Ferrie, Frazer, Freeman, Jobin, Lumsden, John S. Macdonald, Roderick McDonald, Mackenzie, Marchildon, Merritt, Munro, Prevost, Rolph, Scatcherd, Thibaudeau, and Valois.--(47.)

NAYS.

Messieurs Bell, Blanchet, Bowes, Brodeur, Cartier, Cauchon, Cayley, Chabot, Chapais, Cirque, Cook, Crawford, Crysler, Daly, Jean P. Daoust, Antoine A. Dorion, Attorney General Drummond, Dufresne, Felton, Ferres, Thomas Fortier, Fournier, Hincks, Langton, LeBoutillier, Lemieux, Macbeth, Attorney General Macdonald, Sir A. N. MacMillan, Meagher, Monger, Joseph C. Morrison, Angus Morrison, Murray, Niles, Powell, Rhodes, Robinson, Roblin, Solicitor General Ross, James Ross, Shaw, Solicitor General Smith, James Smith, Spence, Stevenson, and Terrill.--(47.)

So it passed in the Negative.

Notice being taken that Mr. Holton, who voted with the Yeas, is a Contractor on the line of the Grand Trunk Railway, he was heard in his place; and stated that he is interested in a Contract entered into with the Toronto (sic) and Guelph Railway Company prior to its amalgamation with the Grand Trunk Railway Company; that that Contract provides for no other mode of payment than Cash, and that no Provincial

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Debentures are give(n) to the Contractors in payment of their work.

And then he withdrew.

Mr. Mackenzie moved, seconded by Mr. Bureau, and the Question being put, That Mr. Holton, a Member of this House for Montreal, being an extensive Contractor on the line of the Grand Trunk Railway, has such a peculiar interest as disqualifies him from voting on this Bill; the House divided: and the names being called for, they were taken down as in the last preceding division:--So it passed in the Negative.

Notice being taken that Mr. Angus Morrison, who voted with the Yeas, is a Shareholder in the Grand Trunk Railway Company, he was heard in his place; and stated that by the amalgamation of the Toronto and Guelph Railway with the Grand Trunk, he is made a Stockholder in the Grand Trunk, but that his interest in the question before the House is not resolvable into a personal pecuniary profit.

And then he withdrew.

Mr. Papin, moved, seconded by Mr. Jean Baptiste Eric Dorion, and the Question being put, That the vote of Mr. Angus Morrison be struck off, inasmuch as the said Mr. Morrison is a Stockholder in the Grand Trunk Railway Company, and that in consequence he is interested in the vote which he has given on this question; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Aikins, Bourassa, Brown, Bureau, Christie, Charles Daoust, Darche, Desaulniers, Jean B.E. Dorion, Antoine A. Dorion, Dostaler, Ferrie, Frazer, Freeman, Jobin, Langton, Lumsden, John S. Macdonald, Roderick McDonald, Mackenzie, Marchildon, Munro, Papin, Powell, Prevost, Rolph, Sanborn, Scatcherd, Thibaudeau, and Valois.--(50.)

NAYS.

Messieurs Bell, Blanchet, Bowes, Brodeur, Burton, Cartier, Cauchon, Cayley, Chabot, Chapais, Chisholm, Church, Cook, Crawford, Crysler, Daly, Jean B. Daoust, Attorney General Drummond, Dufresne, Felton, Fergusson, Ferres, Thomas Fortier, Fournier, Hincks, LeBoutillier, Lemieux, Attorney General Macdonald, Sir A.N. MacNab, Mcagher, Mongenais, Joseph C. Morrison, Munn, Niles, Pothier, Robinson, Roblin, Solicitor General Ross, James Ross, Shaw, Solicitor General Smith, James Smith, Southwick, Spence, and Stevenson.--(45.)

So it passed in the Negative.

The Bill was then read a second time.

The Honorable Mr. Cayley moved, seconded by the Honorable Mr. Attorney General Macdonald, and the Question being put, That the Bill be committed to a Committee of the whole House; the House divided:--And it was resolved in the Affirmative.

Resolved, That this House will immediately resolve itself into the said Committee.

The House having gone into Committee accordingly--Mr. Morrison (Niagara) in the chair,¹⁰⁹

MR. MACKENZIE spoke against the Bill at considerable length, and drew a very amusing contrast between the glowing prospects held out to English capitalists in the prospectus issued by Mr. Hincks and Mr. Ross, and the position of affairs as they now existed.¹¹⁰

Two amendments were made to the Bill¹¹¹, viz:--as a Proviso at the end of the first subsection of the first clause the following: Provided always that the said Company shall not pay or advance any portion of their assets whatever derived or derivable from the original guarantee or from the present aid or from their capital stock, or from any other source whatever, on the construction or completion of Victoria Bridge, until the main line of Railway between Saint Thomas and Stratford shall have been completed and in operation.--And as a proviso to the second subsection of said clause, the following, viz:--Provided that nothing in this section contained shall prejudice the security of the Seminary of Montreal and of the British American Land Company upon the former St. Lawrence and Atlantic Road, or any Creditor for the price of lands sold to the said Company or to the Grand Trunk Company having a privilege of bailleur de fonds.¹¹²

The third clause was struck out¹¹³.

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The House accordingly resolved itself into the said Committee; and after some

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time spent therein, Mr. Speaker resumed the Chair; and Mr. Joseph Curran Morrison reported, That the Committee had gone through the Bill, and made amendments thereunto.

MR. INSP. GEN. CAYLEY moved that the Report be now received.¹¹⁴

MR. MACKENZIE objected to carrying the Bill through three stages in one day. It was altogether contrary to the practice of Parliament.¹¹⁵

MR. AT. GEN. J.A. MACDONALD hoped his hon. colleague would move also for the third reading, so as to avoid a fresh discussion on the Bill to-morrow.¹¹⁶

MR. SICOTTE the SPEAKER said it was most unusual to carry a Bill through three stages in one day. It was against the practice of Parliament, but there was no Standing order to prevent it.¹¹⁷

After some further discussion, the House divided, and it was resolved to receive the Repor((t))¹¹⁸.

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The Honorable Mr. Cayley moved, seconded by the Honorable Mr. Attorney General Macdonald, and the Question being put, That the Report be now received; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bell, Blanchet, Bowes, Brodeur, Cartier, Casault, Cauchon, Cayley, Chapois, Clarke, Crawford, Chrysler, Dostaler, Attorney General Drummond, Dufresne, Ferrie, Octave C. Fortier, Fournier, Galt, Hincks, LeBoutillier, Lemieux, Macbeth, Attorney General Macdonald, Sir A.N. MacNab, Macgheer, Morgenats, Joseph C. Morrison, Angus Morrison, Munro, Murney, Rankin, Rhodes, Roblin, Solicitor General Ross, James Ross, Shaw, Solicitor General Smith, Spence, Stevenson, and Terrill.--(41.)

NAYS.

Messieurs Bourassa, Brown, Christie, Darche, Jean B.E. Dorion, Antoine A. Dorion, John S. Macdonald, Mackenzie, Marchildon, Papin, Prévost, Sanborn, Lalor, and Wright.--(14.)

So it was resolved in the Affirmative.

Mr. Joseph Curran Morrison reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill be read the third time To-morrow.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

Mr. Speaker,

The Legislative Council have passed the Bill, intituled, "An Act to regulate the Militia of this Province, and to repeal the Acts now in force for that purpose," with several Amendments, to which they desire the concurrence of this House.

And then he withdrew.

On motion of the Honorable Sir Allan N. MacNab, seconded by Mr. Solicitor General Smith,

Ordered, That the Amendments made by the Legislative Council to the Bill, intituled, "An Act to regulate the Militia of this Province, and to repeal the Acts now in force for that purpose," be taken into consideration To-morrow.

MR. AT. GEN. J.A. MACDONALD moved, that the Bill from the Legislative Council, instituted (sic), "An Act to authorize the Grand Trunk Railway Company of Canada to change the location of their line in and near the city of Toronto," be now read a second time;¹¹⁹

MR. BOWES opposed the Bill, which he said was to enable the Grand Trunk to change the location of their line in Toronto from the water front, and to carry it

through any of the streets, to the direct injury of the citizens. He had no sympathy with the action of the Corporation in interfering with the contract entered into for the purpose of getting the line along the front of the city, but in this matter he represented not the Corporation but the citizens of Toronto, who would be directly injured by this Bill. He moved that it be read a second time this day six months.¹²⁰

MR. BROWN, while he could not approve of the recent proceedings of the City Council of Toronto, thought it clear that a most undue influence had been used to get a right of way through the city for 10,000L, and that the parties who had managed the matter in the Corporation had allowed themselves to be too easily influenced by threats from the Grand Trunk agents that the line would be carried to the north of the city.--But because those persons had managed their business ill, the Corporation should not therefore have retorted on the other parties to the contract. He thought, however, the matter might very well be left as it was. The offer of the contractors to refer the whole matter to arbitration, would commend itself to the good sense of the citizens of Toronto; and the whole thing, no doubt, would be amicably arranged, so that the line might be carried, as originally intended in front of the city. He remembered very well the circumstances under which members of the Corporation were induced to believe that unless they made a certain bargain, the line would be run along the back of the city, and a great injury thereby inflicted on the place. And this mode of driving a bargain was nothing new with the Grand Trunk. They had done the same thing at Kingston, at Port Hope, and everywhere else--always the same attempt to get land at a low price by threats which the Company were not authorized to use. The Corporation, he confessed, did not deserve much sympathy in the very reckless course they had taken, but he did not think there was any necessity for pressing this Bill--and for one he would vote against it.¹²¹

MR. AT. GEN. J.A. MACDONALD said there was an absolute necessity for the bill. Without it three lines of railroad would be separated in Toronto, the Hamilton and Toronto, the Kingston and Toronto, and the Stratford and Toronto lines.¹²²

The amendment was lost on a division¹²³.

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The Order of the day for the second reading of the Bill from the Legislative Council, intituled "An Act to authorize the Grand Trunk Railway Company of Canada to change the location of their line in and near the City of Toronto," being read;

The Honorable Mr. Attorney General Macdonald moved, seconded by the Honorable Mr. Cayley, and the Question being proposed, That the Bill be now read a second time;

Mr. Bowes moved in amendment to the Question, seconded by Mr. Clarke, That

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the word "now" be left out, and the words "this day six months" added at the end thereof;

And the Question being put on the Amendment; the House divided:--And it passed in the Negative.

Then the main Question being put;

Ordered, That the Bill be now read a second time.

The Bill was accordingly read a second time; and referred to the Standing Committee on Railroads, Canals, and Telegraph Lines.

The Honorable Mr. Attorney General Macdonald moved, seconded by the Honorable Mr. Cayley, and the Question being put, That the 71st Rule of this House be suspended as regards the said Bill; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bell, Brodeur, Cartier, Casault, Cauchon, Cayley, Chapais, Clarke, Crawford, Crysler, Daly, Antoine A. Dorion, Attorney General Drummond, Dufresne, Ferres, Ferrie, Octave C. Fortier, Fournier, Hincks, Langton, Larwill, Lemieux, Macbeth, John S. Macdonald, Attorney General Macdonald, Sir A.N. MacNab, Mongenais, Joseph C. Morrison, Angus Morrison, Munro, Rhodes, Foblin, Solicitor General Ross, Sanborn, Shaw, Solicitor General Smith, Spence, Stevenson, and Thibaudeau.--(39.)

NAYS.

Messieurs Bourassa, Bowes, Brown, Darche, Jean B.E. Dorion, Mackenzie, Marchildon, Papin, and Valois.--(9.)

So it was resolved in the Affirmative.

Mr. Papin moved, seconded by Mr. Bourassa, and the Question being put, That this House do now adjourn; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bourassa, Bowes, Brown, Chapais, Christie, Darche, Jean B.E. Dorion, Antoine A. Dorion, Octave C. Fortier, Fournier, John S. Macdonald, Mackenzie, Marchildon, Munro, Papin, Thibaudeau, and Valois.--(17.)

NAYS.

Messieurs Bell, Brodeur, Cartier, Casault, Cauchon, Cayley, Clarke, Crawford, Daly, Dostaler, Attorney General Drummond, Dufresne, Ferres, Ferrie, Galt, Hincks, Langton, Lemieux, Macbeth, Attorney General Macdonald, Sir A.N. MacNab, Joseph C. Morrison, Mongenais, Rhodes, Solicitor General Ross, Sanborn, Shaw, Solicitor General Smith, Spence, and Stevenson.--(30.)

So it passed in the Negative.

The Order of the day for receiving the Report of the Committee of the whole

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House on the Bill to reform the Municipal System of Lower Canada, and to establish County, Parish, and Township Municipalities therein, being read;

Ordered, That the said Order be discharged.

Ordered, That the Bill be re-committed to a Committee of the whole House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Holton reported, That the Committee had gone through the Bill, and made further amendments thereunto.

Ordered, That the Report be received To-morrow.

Mr. Mackenzie moved, seconded by Mr. Papin, and the Question being put, That this House do now adjourn; the House divided: And it was resolved in the Affirmative.

The House adjourned accordingly.

((NOTICE OF MOTION RE: NORTH SHORE RAILROAD.))

MR. TURCOTTE ... ((gave a)) notice of motion for to-morrow, for a Committee of the Whole, to take into consideration the following Resolutions:--

1. That the route between Quebec and Montreal by the Richmond Railroad and the St. Lawrence and the Atlantic Railroad, is not the shortest and most direct line between Quebec and Montreal, and can never be the natural route between them, inasmuch as it passes at a considerable distance from both banks of the river, and can be of no use to the numerous population by which they are inhabited.

2. That inasmuch as the importance of the two cities of Quebec and Montreal must be doubled within a very short period, as the river St. Maurice must develop a lumber trade of incalculable extent, and the North Shore of the river possesses, at almost every point, water power, and other sources of wealth without number, a Railroad has become a necessity to the future progress and welfare of that portion of the country.

3. That even if the Provincial Guarantee were given to the North Shore Railroad, and the Trois Pistoles Road were completed to the Eastern limits of the Province, by the help of the said Guarantee, Upper Canada would still enjoy a larger amount of Guarantee than Lower Canada.

4. That it is, therefore, impossible without injustice, to refuse to the three hundred thousand inhabitants of the North Shore between Quebec and Montreal, the Provincial Guarantee and the power of extricating themselves, by means thereof, from a state of isolation, and placing themselves like the inhabitants of the other portions of the Province in communication with the immense network of Railroads, which covers the whole of North America.¹²⁴

FOOTNOTES: 8 MAY 1855.

1. LA MINERVE, 19 May 1855.
2. IBID.
3. IBID.
4. IBID.
5. LA MINERVE, 19 May 1855, differs from the JOURNALS in reporting Mr. A. Dorion's amendment. It states: "M. Ant. Aimé Dorion propose que le bill soit amendé en retranchant 'ou loyers dus' dans la 2me clause, ligne 22me, et en insérant 'ou pour la rente d'immeubles,' après le mot 'vigueur' dans la même ligne". The Legislative Council never gave assent to this bill during this Parliamentary session. A similar bill was introduced again in 1856.
6. GLOBE, 16 May 1855.
7. IBID.
8. IBID.
9. IBID.
10. HAMILTON SPECTATOR, 16 May 1855.
11. LE PAYS, 22 May 1855.
12. HAMILTON SPECTATOR, 16 May 1855.
13. GLOBE, 16 May 1855.
14. IBID.
15. IBID.
16. HAMILTON SPECTATOR, 16 May 1855.
17. GLOBE, 16 May 1855.
18. IBID.
19. IBID.
20. LE PAYS, 22 May 1855.
21. GLOBE, 16 May 1855.
22. LE PAYS, 22 May 1855.
23. MORNING CHRONICLE, 16 May 1855.
24. MONTREAL GAZETTE, 12 May 1855.
25. GLOBE, 16 May 1855.
26. HAMILTON SPECTATOR, 16 May 1855.
27. GLOBE, 16 May 1855.
28. LE PAYS, 22 May 1855.
29. GLOBE, 16 May 1855.
30. LE PAYS, 22 May 1855.
31. IBID.
32. IBID.
33. IBID.
34. MORNING CHRONICLE, 16 May 1855.
35. GLOBE, 16 May 1855.
36. MORNING CHRONICLE, 16 May 1855.
37. GLOBE, 16 May 1855.
38. MORNING CHRONICLE, 16 May 1855.
39. GLOBE, 16 May 1855. This newspaper reports that Mr. Galt and Mr. J. Morrison spoke in the same vein.
40. GLOBE, 16 May 1855.
41. MORNING CHRONICLE, 16 May 1855.
42. GLOBE, 16 May 1855.
43. IBID.
44. LE PAYS, 22 May 1855. This newspaper adds, "car on sait que le moteur d'un bill du gouvernement en lit toujours les épreuves avant qu'il soit imprimé.

Quelque membre du gouvernement pourrait sans doute expliquer cette erreur, mais on aime mieux mettre cela sur le compte de l'imprimeur."

45. GLOBE, 16 May 1855.
46. MORNING CHRONICLE, 16 May 1855.
47. GLOBE, 16 May 1855.
48. MORNING CHRONICLE, 16 May 1855.
49. GLOBE, 16 May 1855.
50. GLOBE, 16 May 1855. HAMILTON SPECTATOR, 19 May 1855, in a lengthy commentary, reports that the third clause had finally been struck out "to the great discomfiture of the member for Toronto".
51. GLOBE, 16 May 1855.
52. MORNING CHRONICLE, 16 May 1855.
53. GLOBE, 16 May 1855.
54. IBID.
55. MORNING CHRONICLE, 16 May 1855.
56. GLOBE, 16 May 1855.
57. IBID.
58. LE PAYS, 22 May 1855.
59. MORNING CHRONICLE, 16 May 1855. Immediately preceding Mr. Cameron's speech, MORNING CHRONICLE, 16 May 1855, comments that "a good deal of amusement was caused by the conversation which followed."
60. LE PAYS, 22 May 1855.
61. MORNING CHRONICLE, 16 May 1855.
62. LE PAYS, 22 May 1855.
63. GLOBE, 16 May 1855.
64. IBID.
65. MORNING CHRONICLE, 16 May 1855.
66. GLOBE, 16 May 1855.
67. MORNING CHRONICLE, 16 May 1855.
68. GLOBE, 16 May 1855.
69. MORNING CHRONICLE, 16 May 1855.
70. GLOBE, 16 May 1855.
71. MORNING CHRONICLE, 16 May 1855.
72. IBID.
73. IBID.
74. IBID.
75. GLOBE, 16 May 1855.
76. MORNING CHRONICLE, 16 May 1855.
77. GLOBE, 16 May 1855.
78. IBID.
79. LE PAYS, 22 May 1855.
80. GLOBE, 16 May 1855.
81. LE PAYS, 22 May 1855.
82. MORNING CHRONICLE, 16 May 1855.
83. GLOBE, 16 May 1855.
84. MORNING CHRONICLE, 16 May 1855.
85. GLOBE, 16 May 1855.
86. MORNING CHRONICLE, 16 May 1855.
87. MONTREAL GAZETTE, 12 May 1855.
88. MORNING CHRONICLE, 16 May 1855.
89. IBID.
90. IBID.

91. IBID.
92. IBID.
93. MONTREAL GAZETTE, 12 May 1855.
94. MORNING CHRONICLE, 16 May 1855.
95. IBID.
96. IBID.
97. IBID.
98. IBID.
99. IBID.
100. IBID.
101. IBID.
102. IBID.
103. GLOBE, 16 May 1855.
104. MORNING CHRONICLE, 16 May 1855.
105. In a humorous commentary, LE PAYS, 22 May 1855, gives a possible explanation for the absence of some members' names from the division list. The newspaper describes the practice of "pairing" during votes.
106. MORNING CHRONICLE, 16 May 1855.
107. IBID.
108. IBID.
109. GLOBE, 16 May 1855.
110. IBID.
111. IBID.
112. MORNING CHRONICLE, 10 May 1855.
113. PILOT, 10 May 1855.
114. GLOBE, 16 May 1855.
115. IBID.
116. IBID.
117. IBID.
118. IBID.
119. IBID.
120. IBID.
121. IBID.
122. IBID.
123. IBID.
124. MORNING CHRONICLE, 9 May 1855.

WEDNESDAY, 9 MAY 1855.

(1034)

MR. SPEAKER communicated to the House, the following Letter:--

Quebec, 9th May, 1855.

Sir,--In accordance with the Resolution adopted by the Honorable House of Assembly on the 8th instant, I have now the honor of placing into your hands, this, my resignation, as Clerk Assistant of the Legislative Assembly of the Province of Canada, on the terms and conditions expressed in the Report of the Special Committee concurred in by the above Resolution.

G.B. Faribault.

To the Honorable the Speaker
of the Legislative Assembly.

Mr. Speaker then acquainted the House, That in accordance with the Resolution of the House of the 8th instant, after the reception of Mr. Faribault's resignation, he had called upon William Burns Lindsay, junior, Esquire, to act hereafter as Clerk Assistant of this House, as duly appointed in the place of Mr. Faribault to the Office of Clerk Assistant.

The following Petitions were severally brought up, and laid on the table:--

By Mr. Valois,--The Petition of the Reverend Aeneas McLean and others, of the Township of Newton, in the County of Soulanges.

By Mr. James Ross,--The Petition of John Nitchell and others, of the Township of Seymour, in the County of Northumberland.

By Mr. Solicitor General Ross,--The Petition of J.P. Proux, Mayor, and others, of Ste. Marie, County of Beauce.

By Mr. Brown,--The Petition of William Best and others, of the County of Durham; the Petition of William Olver, senior, Reeve, and others, of the Township of Enniskillen; the Petition of William Wallace and others, of the Township of Ramsay, County of Lanark; and the Petition of Andrew Moffatt and others, of the Township of Orillia, County of Simcoe.

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Pursuant to the Order of the day, the following Petitions were read:--

Of Robert Mager and others, of the Township of South Gower; of Joseph Lacerte and others, of the Parish of Yamachiche; of A. Stein and others, of the Parish of St. Christophe d'Arthabaska; of George Brown, Esquire, and others, of the Town of Richmond; and of S.H. Rance and others, of the Townships of Hullett and Morris; praying that a permanent Seat of Government may be established.

Of F.W. Atkins and others, Bailiffs of Division Courts, County of Elgin; praying that the Tariff of Fees allowed them may be increased.

Of the Mayor, Aldermen, and Commonalty of the City of Toronto; praying for certain amendments to their Municipal Corporations Act.

Of the Mayor, Aldermen, and Commonalty of the City of Toronto; praying that the Bill to make the alteration of the Grand Trunk Railway Line through the City of Toronto, may not become Law.

Of the Reverend J.C. Osborn and others, of Lindsay, in the Township of Ops, County of Victoria; and of J. Crawford and others, of the County of Haldimand; praying for the passing of a Prohibitory Liquor Law.

Of E.P. Whittemore and others, of the City of Toronto; praying that a Commission be appointed to enquire into the management of the Toronto General Hospital.

Of William Kerr, of Galt, Medical Practitioner; praying that the Medical Profession of Upper Canada may be incorporated.

Of the Municipal Council of the County of Grey; praying for certain amendments to the Municipal Act.

Of the Municipal Council of the County of Grey; praying for an aid for the improvement of certain Roads in the said County.

Of the Montreal Bank and other incorporated Banks; praying that the Bill now before the House "That every Bank issuing its notes payable to Bearer on demand, shall receive such Notes at par," may not become Law.

Of the Municipality of the Township of Elizabethtown; praying that the Bill having for its object the setting apart of Corporate Towns from the Counties in which they are situated, with the intent of freeing such Corporate Towns from their just and equitable proportion of the Taxes required for the repair of the County Roads and Bridges, may not become Law.

Of J. Jacob and others; praying that the Bill now before the House to authorize the Ontario, Simcoe, and Lake Huron Railroad Company to construct a Switch from the Main Trunk of the said Road to the Town of Barrie, may not become Law.

Of Robert Blackburn and others, of the Township of Dawn, and the Gore of Camden; praying that the said Township may be annexed to the County of Kent.

Of L.H. Johnston and others, of the Village of Wallaceburg and the Township of Sombra; praying that the said Township may be annexed to the County of Kent.

Of John Gunne and others, of the Township of Euphemia, County of Lambton; and of the Municipality of the Township of Euphemia; praying that the said Township may be united to the County of Kent.

Of the Mayor, Aldermen, and Commonalty of the City of London; praying an aid for the erection of a General Hospital.

Of J.H. Wilkinson and others, Clerks of Municipalities in the County of Essex; representing that the Act 16 Vic. cap. 163, provides for their making certain Returns to Government; and praying that compensation be made them for such Returns, and that the time be extended for making the same.

Of James Devlin and others, Town Clerks of the County of Essex; praying that a reasonable allowance be made them for making out an Alphabetical List of all persons

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entitled to vote at the election of a Member of the Provincial Parliament within their respective Municipalities, as provided for by the Act 16 Vic. cap. 153.

The Honorable Mr. Cameron, from the Standing Committee on Miscellaneous Private Bills, presented to the House the Fortieth Report of the said Committee; which was read, as followeth:--

Your Committee have examined the Bill to amend the Act incorporating the Port Burwell Harbour Company, and have agreed to certain amendments, which they beg to submit for the consideration of Your Honorable House.

With reference to the Bill to amend the Toronto Esplanade Act, Your Committee find that a Petition was presented by the Municipal Council of the City of Toronto, in the early part of this Session, asking that a Bill should be passed to remove any doubts that might have arisen about the legality of a contract that has been made by the City to construct an Esplanade in front thereof and to confer further powers in reference thereto, and reciting that the contractors were then actually engaged in the construction of the work under such contract; that a Bill was accordingly introduced, as submitted by the said City, which would have probably been passed in the shape in which it was referred to Your Committee, had there not been opposition

made to it by certain water lot owners, who were interested in the subject proposed to be arranged by the Bill; that during the latter part of this Session, and within the last ten days, a new Bill has been submitted to Your Committee, varying very materially from the provisions of the printed Bill, and seeking power to make new contracts in reference to the Esplanade, instead of confirming the contract already made as prayed in the original Petition. Against this new Bill, the contractors under the original Act have offered opposition, on the ground that it is not in accordance with the Petition presented to Your Honorable House, and that it proposes that the City should enter into new contracts, without any reference to their existing rights; that the City by a vote of Council has attempted to rescind their contract, and declines to reserve their rights under this Bill, and that although they have been willing to withdraw their opposition and give up any future completion of the work under their contract, on provisions being inserted in the Bill that their claims shall be arbitrated upon, the City Council has positively refused to insert such provision; and Your Committee being of opinion that the offer made by the contractors is manifestly just as to the new Bill, and that it ought not to be reported on favorably without such provision, and as the City of Toronto had refused to make that concession, and does not now require the Bill introduced on Petition, Your Committee are constrained to report in the usual way, that the Preamble has not been proved.

Mr. Jobin, from the Standing Committee on Contingencies, presented to the House the Fifteenth Report of the said Committee; which was read, as followeth:

Certain Accounts amounting to Three hundred and thirty-eight pounds seven shillings and three pence, have been laid before Your Committee, for erecting a Cupola on the Music Hall, which being a permanent improvement of the Building for which a large rental is paid, and the expense having been incurred by the Committee on Ventilation appointed by the House, without the supervision of the Serjeant-at-Arms, as ordered by the Report of this Committee of 28th October last, Your Committee beg leave to refer the said Accounts for the decision of Your Honorable House thereon.

Ordered, That the said Report be printed for the use of the Members of this House.

Ordered, That the said Report be taken into consideration on Monday next.

(1037)

The Honorable Sir Allan N. MacNab, from the Standing Committee on Railroads, Canals, and Telegraph Lines, presented to the House the Nineteenth Report of the said Committee; which was read, as followeth:--

Your Committee have examined the following Bills referred to them, and have prepared amendments to each, which they beg leave to submit for the adoption of Your Honorable House, viz:--

Bill to incorporate the Ontario and Bay of Quinté Canal Company;

Bill to amend the Acts incorporating the Cobourg and Peterborough Railway Company, and to authorize the construction of a Branch thereof to Marmora;

Bill to incorporate the Hamilton and South Western Railway;

Bill further to amend the Act incorporating the Montreal and Vermont Junction Railway Company;

Bill to incorporate the Quebec, Chaudière, Maine and Portland Railway Company;

Bill to incorporate the Oakville and Arthur Railway Company;

Bill to incorporate certain persons under the style and title of Otter Creek Navigation Company.

Your Committee have also examined the Bill from the Legislative Council, intituled, "An Act to authorize the Grand Trunk Railway Company of Canada to change the location of their line in and near the City of Toronto," referred to them, and have agreed to several amendments thereto.

Ordered, That the Bill to incorporate the Oakville and Arthur Railway Company, as reported from the Standing Committee on Railroads, Canals, and Telegraph Lines, be committed to a Committee of the whole House, for To-morrow.

Ordered, That the Bill to amend the Acts incorporating the Cobourg and Peterborough Railway Company, and to authorize the construction of a Branch thereof to Marmora, as reported from the Standing Committee on Railroads, Canals, and Telegraph Lines, be committed to a Committee of the whole House, for To-morrow.

Ordered, That the Bill further to amend the Act incorporating the Montreal and Vermont Junction Railway Company, as reported from the Standing Committee on Railroads, Canals, and Telegraph Lines, be committed to a Committee of the whole House, for To-morrow.

Ordered, That the Bill to incorporate the Ontario and Bay of Quinté Canal Company, as reported from the Standing Committee on Railroads, Canals, and Telegraph Lines, be committed to a Committee of the whole House, for To-morrow.

Ordered, That the Petition of E.P. Whittemore and others, of the City of Toronto, be printed for the use of the Members of this House.

Ordered, That the Bill to incorporate certain persons under the style and title of the Otter Creek Navigation Company, as reported from the Standing Committee on Railroads, Canals, and Telegraph Lines, be committed to a Committee of the whole House, for To-morrow.

On motion of MR. SOL. GEN. H. SMITH,¹

(1037)

Ordered, That the Bill from the Legislative Council, intituled, "An Act to authorize the Grand Trunk Railway Company of Canada to change the location of their line in and near the City of Toronto," as reported from the Standing Committee on Railroads, Canals, and Telegraph Lines, be committed to a Committee of the whole House.

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Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. James Smith reported, That the Committee had gone through the Bill, and made Amendments thereunto.

Ordered, That the Report be now received.

Mr. James Smith reported the Bill accordingly; and the Amendments were read, as follow:--

Page 2, line 16. After "shall" insert "within two years."

Page 2, line 29. After "Act" insert "And provided also, that if the Corporation of the said City, and the Grand Trunk Railway of Canada, cannot agree upon the

location of the said line of Railway as authorized by this Act through any Street or Streets of the said City, or the compensation therefor, if any, then the Board of Railway Commissioners shall upon receipt, of written notice thereof, from either the said Company or the said City, have full power and authority to decide upon the said location, and to determine the amount of remuneration, if any, to be paid to the said Corporation by the said Company, and such decision shall be final and binding upon both parties."

Page 2. Before the last Clause, insert Clause (A.)

Clause (A.) "And be it enacted that it shall and may be lawful for the said Company to make any Contract or Contracts with the said City of Toronto, for the construction of the said Esplanade, according to such plan and upon such terms as may be agreed upon between them, anything in any former Statute to the contrary notwithstanding; and the said City shall have full power and ... authority, on such Contract being made, to pass any By-Law or By-Laws for raising any money or issuing any Debentures that may be necessary for the construction of the said Esplanade under any such Contract, and for the payment of any monies for any arrangement or arbitration with any water lot owner or lessee, and said Company shall also have power and authority to make such arrangement, or proceed to such arbitration if they shall deem it advisable to do so, and any such arbitration as herein mentioned shall be in accordance with the provisions made for arbitrations, under the provisions of the Acts relating to the said Company."

The said Amendments, being read a second time, were agreed to.

Ordered, That the Bill, with the Amendments, be read the third time To-morrow.

Mr. Jobin, from the Standing Committee on Contingencies, presented to the House the Sixteenth Report of the said Committee; which was read, as followeth:--²

Your Committee having considered the claim of the several Messengers of the House, for any allowance to cover the expenses incurred in travelling to their homes, in December last, at the adjournment of the House, recommend that the following Messengers be allowed two pence currency, per mile travelled, as follows, viz:--

William Graham, from Toronto; James Hoy, from Kingston; George Webster, from Kingston; Louis Labonté, from Montreal; J.B. Asselin, from Montreal; J.B. Lajoie, from Montreal; E. Roy, from Montreal; E. Pelletier, from Montreal; R. Bailie, from Montreal; J.B. Pelletier, from L'Assomption; Pierre Bousquet, from L'Assomption.

Your Committee having considered the duties and responsibilities of Mr. A. Patrick, Chief Clerk of Committees and Controverted Elections, and from the testimony borne to the efficiency of that Officer by Mr. Speaker, and also by the

(1039)

Chairman of the Committee on Printing, recommend that an increase be made to Mr. Patrick's salary of Fifty pounds per annum.

Your Committee considering the onerous duties discharged by the Serjeant-at-Arms, under the Rules adopted by the House, which have been discharged by him in a most satisfactory manner, deem it expedient to place that Officer's salary on an equality with the other Officers of his rank, and that his salary be increased to Three hundred pounds; and that the increase to the above salaries do commence from the 1st January last.

Your Committee also recommend that those Junior Clerks who were placed on the Permanent List of the House by the Report of this Committee of 28th October last, on a salary of One hundred and fifty pounds a year, having previously received three dollars per day, and having, in consequence of the unusual length of the Session, suffered considerable loss, be granted the sum of Fifty pounds each, viz:--W. Wilson, W.B. Ross, Charles Langevin, H. Poetter, and A. Laperrière.

Your Committee would further recommend that the sum of Twenty-five pounds be granted to Mr. A.L. Cardinal, for each of the years 1854 and 1855, as an allowance for house-rent; and also a gratuity of Twenty-five pounds to Mr. John O'Connor, Door-keeper, in consequence of the unusual length of the Session.

Your Committee further recommend that the sum of two shillings and six pence per diem, be added to the present allowance of Mr. W.W. Wheeler, at present employed in the service of Your Honorable House.

Ordered, That the said Report be printed for the use of the Members of this House.

Ordered, That the said Report be taken into consideration on Monday next, and be then the first Order of the day.

Mr. James Smith, from the Select Committee to which was referred the Petition of Donald Cameron, of Thorah, presented to the House the Report of the said Committee; which was read, as followeth:--

Your Committee have examined the several proceedings had on the subject matter of the Petitioner's complaint before Committees of the House of Assembly of Upper Canada, in the Sessions of 1836, 1836-7 and 1839, and of Canada, in the Session of 1845.

Your Committee find that the Committee of 1836-7, reported an Address recommending that the complaints of the Petitioner should be examined by a Commission to be appointed as therein mentioned, but that no further proceedings appear to have been taken in the case during that Session.

The Committee of 1839, reported their full concurrence in the Report of the Committee of 1836-7, and upon such Report an Address was moved for, introduced, read a second time, and referred to a Committee of the whole House, which however rose without reporting.

The Petitioner complains that he has suffered ruinous loss by the course taken by the Executive Government, and Your Committee, concurring in the opinions already expressed by the Committee before alluded to, and believing that the case of the Petitioner calls for investigation at the hands of the Government, respectfully recommend that as the Statute 9 Vic. cap. 38, empowers Commissioners to examine Witnesses upon oath, an humble Address should be sent to His Excellency the Governor General, praying that a Commission may be issued to investigate the whole circumstances of this long-pending case, in order that an opportunity may be afforded to the Petitioner of substantiating the same by the examination of Witnesses on oath, and that justice may be done to him by the Government, if it shall appear from the evidence taken, that it has been hitherto withheld.

Ordered, That the said Report be committed to a Committee of the whole House, for To-morrow.

(1040)

Mr. Pouliot reported from the Select Committee on the Bill to amend and consolidate the Laws for the prevention of damages to and deterioration of property, either under seizure or hypothecation, to the prejudice of the seizing or hypothecary Creditor, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Bill and Report be committed to a Committee of the whole House, for To-morrow.

Ordered, That the Bill to amend the Act incorporating the Quebec Fire Assurance Company, and to facilitate the management of the business of the said Company, as

reported from the Standing Committee on Miscellaneous Private Bills, be committed to a Committee of the whole House, for To-morrow.

On motion of the Honorable Mr. Cameron, seconded by Mr. Rankin,

Ordered, That the Bill from the Legislative Council, intituled, "An Act to amend the Act relating to British Plantation Vessels passed in the eighth year of Her Majesty's Reign," be now read for the first time.

The Bill was accordingly read the first time; and ordered to be read a second time To-morrow.

Ordered, That the Bill to amend the Act incorporating the Port Burwell Harbour Company, as reported from the Standing Committee on Miscellaneous Private Bills, be committed to a Committee of the whole House, for To-morrow.

Sur motion de MR. COM. PUB. WORKS LEMIEUX³,

(1040)

Ordered, That the Bill to incorporate the Quebec, Chaudière, Maine and Portland Railway Company, as reported from the Standing Committee on Railroads, Canals, and Telegraph Lines, be committed to a Committee of the whole House, for Friday next.

Ordered, That the Bill from the Legislative Council, intituled, "An Act to provide for an increase of the Capital Stock of the Quebec Gas Company," as reported from the Standing Committee on Miscellaneous Private Bills, be committed to a Committee of the whole House, for To-morrow.

Ordered, That that part of the Report of the Standing Committee on Miscellaneous Private Bills, presented this day, which relates to the Bill to amend the Toronto Esplanade Act, be printed for the use of the Members of this House.

Ordered, That the Bill from the Legislative Council, intituled, "An Act to incorporate the Quebec Masonic Hall Association," as reported from the Standing Committee on Miscellaneous Private Bills, be committed to a Committee of the whole House, for To-morrow.

On motion of Mr. Powell, seconded by Mr. Church,

Ordered, That the 62nd Rule of this House be suspended as regards the Petition of W. Mackey and others, Freeholders, of the Township of Marlborough.

Ordered, That Mr. Church have leave to bring in a Bill to detach a certain Island at Burritt's Rapids, from the Township of Oxford, in the County of Grenville, and to annex the same to the Township of Marlborough in the County of Carleton.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time To-morrow.

(1041)

Ordered, That the Honorable Mr. Attorney General Drummond have leave to bring in a Bill to repeal the Act transferring the possession and control of the Cul-de-Sac Harbour at Quebec, to the Corporation of the said City, and to make other provision in respect of the said Harbour.⁴

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Friday next.

Ordered, That Mr. Solicitor General Smith have leave to bring in a Bill to confirm a Survey between the sixth and seventh Concessions of the Township of Hamilton.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Friday next.

Ordered, That Mr. Larwill have leave to bring in a Bill to detach the Township of Euphemia, and part of the Townships of Sombra and Dawn, from the County of Lambton, and to annex the same to the County of Kent.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time To-morrow.

On motion of the Honorable Sir Allan N. MacNab, seconded by Mr. Solicitor General Smith,

Ordered, That the Orders of the day be now read.

And the Order of the day for the third reading of the Bill for granting additional Aid by Loan to the Grand Trunk Railway Company of Canada, being read;

The Honorable Mr. Cayley moved, seconded by the Honorable Mr. Attorney General Macdonald, and the Question being proposed, That the Bill be now read the third time;

Mr. Brown moved in amendment to the Question, seconded by Mr. Hartman, That all the words after "now" to the end of the Question be left out, in order to add the words "re-committed to a Committee of the whole House, with an instruction to amend the same, by providing that the proposed additional Aid of Nine hundred thousand pounds, sterling, to the Grand Trunk Railway Company, shall not be paid over until the Road has been completed and in operation" instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Aikins, Biggar, Bourassa, Brown, Chauveau, Christie, Cook, Charles Daoust, Darche, Desaulniers, Jean B. E. Dorion, Antoine A. Dorion, Dostaler, Fraser, Gold, Hartman, John B. Macdonald, Roderick McDonald, Marchildon, Matheson, Papin, Prévost, Rolph, Scatcherd, Thibaudeau, Valois, and Wright.--(27.)

(1041-1042)

NAYS.

Messieurs Bell, Bellingham, Blanchet, Bowes, Cameron, Cartier, Casault, Cauchon, Cayley, Chabot, Chapais, Church, Cooke, Crawford, Crysler, Daly, Jean B. Daoust, Dionne, Attorney General Drummond, Dufresne, Felton, Fergusson, Ferrie, Foley, Thomas Fortier, Octave C. Fortier, Fournier, Galt, Gill, Hincks, Holton, Langton, Larwill, LeFoutillier, Lemieux, Lumsden, Macbeth, Sir A.N. MacNab, Joseph C. Morrison, Angus Morrison, Murney, Pouliot, Rankin, Robinson, Roblin, Solicitor General Ross, James Ross, Shaw, Solicitor General Smith, James Smith, Southwick, Spence, Stevenson, and Terrill.--(54.)

So it passed in the Negative.

(1042)

And the Question being again proposed, That the Bill be now read the third time; Mr. Brown moved in amendment to the Question, seconded by Mr. Hartman, That all the words after "now" to the end of the Question be left out, in order to add the

words "re-committed to a Committee of the whole House, to provide that the Debentures in aid of the Grand Trunk Railway shall be issued as earned under the provisions of the Act, and not sooner, and shall not be sold under par; and that any premium obtained upon their sale, shall be paid over to the Receiver General for the benefit of the Province" instead thereof;

((MR. BROWN:)) The Government, ... had taken upon themselves to issue the whole of the Debentures for the previous guarantee of 40 per cent. at once, placing them without any check in the hands of Messrs. Baring & Glynn. He was desirous that the same thing should not occur again. He desired also that any premium obtained on the sale of the Debentures should be paid over to the Province instead of going to the contractors as in the former case.⁵

(1042)

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Atkins, Biggar, Bourcassa, Brown, Chauveau, Christie, Charles Daoust, Darche, Desaulniers, Jean B.E. Dorion, Antoine A. Dorion, Frazer, Gould, Hartman, Jobin, John S. Macdonald, Roderick McDonald, Mackenzie, Marchildon, Merritt, Munro, Papin, Patrick, Prévost, Rolph, Sanborn, Scatcherd, Somerville, Thibaudeau, Valois, and Wright.--(51.)

NAYS.

Messieurs Bell, Bellingham, Blachet, Bowes, Cameron, Cartier, Casault, Cauchon, Cayley, Chabot, Chapais, Church, Cooke, Crawford, Cryster, Daly, Jean B. Daoust, Dionne, Attorney General Drummond, Dufresne, Felton, Fergusson, Ferrie, Foley, Thomas Fortier, Octave C. Fortier, Fournier, Galt, Gill, Hincks, Holton, Langton, Larwill, LeBoutillier, Lemieux, Lumsden, Macbeth, Attorney General Macdonald, Sir A.N. MacNab, Joseph C. Morrison, Angus Morrison, Murney, Pouliot, Robinson, Roblin, Solicitor General Ross, James Ross, Shaw, Solicitor General Smith, James Smith, Southwick, Spence, and Stevenson.--(53.)

So it passed in the Negative.

And the Question being again proposed, That the Bill be now read the third time;

MR. BROWN said it would be recollected that a statement was made by the Inspector General that the contractors would take 900,000L of B bonds in payment or (sic) work. It was clear that this must be done, if the present scheme was to succeed at all, and he thought it would be well to have an explicit arrangement to that fact. They all knew what difficulties they had gone into formerly, from proceeding on mere understandings instead of definite bargains, and he therefore moved again in amendment, "That the Bill be recommitted to a Committee of the Whole House to provide that no portion of the said additional aid of Nine hundred thousand pounds to the Grand Trunk Railway Company, shall be paid over until Four hundred and fifty thousand pounds sterling of the B series of Grand Trunk Stock and Company's Bonds have been accepted by the Contractors in part payment of their existing claim on the said Company; and until security has been given by the said Contractors that they will take a further amount of Four hundred and fifty thousand pounds sterling of the said B series of Stock and Company's Bonds in part payment of the work hereafter to be executed, pro rata, as the work proceeds."⁶

MR. HOLTON said he had understood the Inspector General to state that he would insist on the arrangement sought by the amendment being carried out, and before giving his vote he would like to have that impression confirmed. If the hon. gentleman's statement was satisfactory, having supported the Bill hitherto, he would not be exposed to embarrass it with amendments at this stage.⁷

MR. INSP. GEN. CAYLEY said he had proceeded on the understanding that the contractors would act on the proposition made by themselves on the 2nd May, 1854.⁸

MR. HOLTON said he had understood the Inspector General to go farther, and to say that 944,000L of debt would be immediately extinguished by the time of that amount of the B series to the contractors.⁹

MR. HINCKS did not think that the Government properly had the means of dealing with this question. But as a Director of the Grand Trunk, he had no hesitation in saying that the Directors were determined to carry out that arrangement. In fact the contractors would not be paid a shilling in any other way unless they took the B bonds. They would be compelled to take them.¹⁰

MR. J.S. MACDONALD (Glengary.) Why not place it in the bill, to make the arrangement obligatory on the Directors, who might not all be of the same opinion as the hon. member for Renfrew?¹¹

MR. MERRITT wanted to know whether the contractors were to take the B stock or only the B bonds.¹²

MR. HINCKS said the contractors were bound to take the whole of the B series of stock and bonds; but these were not thrown upon the market because it was believed that to do so would be very injurious to the holders of the rest of the stock. As to the interest of the Province, it did not matter whether stock or bonds were taken in payment, because the claim of the Province came before them both. But what was now intended was that the B bonds should be taken in payment. He saw no object, however here, in putting this into the bill, for the money now granted was to be advanced on future works and the Company could not pay the contractors in any other way.¹³

MR. ROBINSON was quite satisfied that the Government understood in what way the money was to be applied, and that they would apply it only on the condition in question being complied with. The House would not have voted the money on any other ground.¹⁴

MR. INSP. GEN. CAYLEY said that matters were in this position, that in 1855 the contractors would take 513,000L of B bonds, and in 1856, 395,000L of B bonds and 36,000L of B shares, in all 944,000L.¹⁵

MR. GALT said he understood that it was distinctly agreed the Government was to insist on the contractors taking the B bonds, and he thought that the Government, especially as they were on the Board of Railway Directors, could have no difficulty about enforcing this condition. He wished now to ask the Inspector General, as representing the Government, which to a certain extent controlled the Company, whether he was prepared to insist upon the contractors taking this B series of bonds.¹⁶

MR. INSP. GEN. CAYLEY said he would insist upon the extinguishment of that amount of the Company's debt to the contractors by the issue of the B series of bonds.¹⁷ ((He)) said the Government proposed that the amounts he had named should be applied to the payment of the contractors, according to the arrangements they themselves had made on the 2nd May.¹⁸

MR. BROWN.--The arrangement should be distinctly laid down in the Act of Parliament. After all those explanations he believed that three-fourths of the members did not really know yet what the arrangement was. (Hear, hear.) Most of the difficulties connected with the Grand Trunk had arisen from matters being left in this undefined state. If the bargain had been made why not put it in the Act? (Hear, hear.) The member for Renfrew said the contractors would be paid entirely in bonds. The Inspector General said they would be paid in Bonds and Shares. A few nights ago he said they would receive 450,000L of B bonds during this year, now he said the amount was 513,000L. All this showed in how loose a state the whole thing was left, and it did appear to him that if the House rejected the amendment he had proposed they divested themselves of all control over the public finances. (Hear, hear.)¹⁹

After a few remarks from MR. GOULD, who desired to elicit some further information as to the arrangement made with the contractors,²⁰

The amendment was put and negatived²¹.

(1042)

Mr. Brown moved in amendment to the Question, seconded by Mr. Hartman, That all the words after "now" to the end of the Question be left out, in order to add the words "recommitted to a Committee of the whole House, to provide that no portion of the said additional Aid of Nine hundred thousand pounds to the Grand Trunk Railway Company, shall be paid over until Four hundred and fifty thousand pounds sterling, of the B series of Grand Trunk Stock and Company's Bonds have been accepted by the

(1043)

Contractors in part payment of their existing claim on the said Company; and until security has been given by the said Contractors that they will take a further amount of Four hundred and fifty thousand pounds sterling, of the said B series of Stock and Company's Bonds in part payment of the work hereafter to be executed, pro rata, as the work proceeds" instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Aikins, Biggar, Bourassa, Brown, Chauveau, Christie, Cook, Charles Daoust, Darche, Desaulniers, Jean B.E. Dorion, Antoine A. Dorion, Dostaler, Fergusson, Ferrie, Foley, Frazer, Freeman, Gould, Hartman, Jobin, John S. Macdonald, Roderick McDonald, Mackenzie, Marchildon, Matheson, Merritt, Munro, Papin, Prévost, Rolph, Sanborn, Scatcherd, Thibaudeau, Valois, and Wright.--(56.)

NAYS.

Messieurs Bell, Bellingham, Blanchet, Bowes, Burton, Cameron, Cartier, Casault, Cauchon, Cayley, Chabot, Chapais, Church, Cooke, Crawford, Crysler, Daly, Jean B. Daoust, Dionne, Attorney General Drummond, Dufresne, Felton, Thomas Fortier,

Octave C. Fortier, Fournier, Galt, Gill, Hincks, Holton, Langton, Larwill, LeBoutillier, Lemieux, Lumsden, Macbeth, Attorney General Macdonald, Sir A.N. MacNab, Joseph C. Morrison, Angus Morrison, Murney, Pouliot, Rhodes, Robinson, Roblin, Solicitor General Ross, James Ross, Shaw, Solicitor General Smith, James Smith, Southwick, Spence, and Stevenson.--(52.)

So it passed in the Negative.

Then the main Question being put;

MR. MERRITT said, we had a population of only about 2 millions, and within the last three years on account of this undertaking a debt of about 4 millions of pounds had been thrown on that population. When the interest of that came to be paid away out of this country in England by the people of this Province, the question would be raised, what advantage were they receiving in return? The result would be that the people would turn their attention to obtaining some Constitutional check, which would prevent the Legislature from heaping up burdens on the country without the people's consent.²²

MR. MARCHILDON also opposed the Bill.²³

The motion for the third reading was then carried²⁴.

(1043)

the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bell, Bellingham, Blanchet, Bowes, Brodeur, Burton, Cartier, Casault, Cauchon, Cayley, Chabot, Chapais, Church, Clarke, Cooke, Crawford, Crysler, Daly, Jean B. Daoust, Dionne, Attorney General Drummond, Dufresne, Felton, Fergusson, Ferrie, Foley, Thomas Fortier, Octave C. Fortier, Fournier, Galt, Gill, Hincks, Holton, Langton, Larwill, LeBoutillier, Lemieux, Lumsden, Macbeth, Attorney General Macdonald, Sir A.N. MacNab, Joseph C. Morrison, Angus Morrison, Murney, Pouliot, Rankin, Rhodes, Robinson, Roblin, Solicitor General Ross, James Ross, Shaw, Solicitor General Smith, James Smith, Southwick, Spence, Stevenson, and Terrill.
--(58.)

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NAYS.

Messieurs Aikins, Biggar, Bourassa, Brown, Bureau, Cameron, Chauveau, Christie, Cook, Charles Daoust, Darche, Desaulniers, Jean B.E. Dorion, Antoine A. Dorion, Dostaler, Frazer, Freeman, Gould, Hartman, Jobin, John S. Macdonald, Roderick McDonald, Mackenzie, Marchildon, Matheson, Merritt, Papin, Prévost, Rolph, Sanborn, Scatcherd, Somerville, Thibaudeau, Valois, and Wright.--(35.)

So it was resolved in the Affirmative.

The Bill was accordingly read the third time.

The Honorable Mr. Cayley moved, seconded by the Honorable Mr. Attorney General Macdonald, and the Question being proposed, That the Bill do pass, and the Title be, "An Act for granting additional Aid, by Loan, to the Grand Trunk Railway Company of Canada;"

MR. A. DORION (Montreal) moved that the Bill be amended by leaving out the proviso to the second paragraph numbered one of the first clause.

This proviso was inserted in Committee of the Whole, and ran thus--"Provided always that the said Company shall not pay or advance any portion of their assets whatever derived or derivable from the original guarantee or from the present aid or from their capital stock or from any other source whatsoever, on the construction or completion of Victoria Bridge, until the main line of railway between St. Thomas and Stratford shall have been completed and in operation."²⁵ In his opinion, far from putting in that clause, the Government ought to have advanced a sum of money expressly to induce the Company to proceed with this part of the work, which he regarded as of the highest national importance. The clause at present prevented the Company, not only from expending the Provincial guarantee, but from expending any of its means whatever upon the bridge. He desired to strike out these last words.²⁶ Si le pont est abandonné le chemin ne paiera jamais, et ce serait perdre inutilement les 213,000L qui ont déjà été dépensés sur ces travaux²⁷.

MR. HINCKS said he considered this proviso which had been inserted in the Bill a most illiberal condition. The House ought to have been satisfied that the means existed for completing the road between St. Thomas and Stratford out of the balance of the A shares, the B bonds and the 900,000L provided for by this Bill, and it was most illiberal to prevent the Company if they were able, from building the Victoria Bridge out of the B shares.²⁸

MR. HOLTON supported the amendment. The proviso in question interfered with the relations between the Company and the Contractors. If the Company accepted the aid subject to this proviso, they would be liable in damages to the Contractors to an indefinite amount for the arbitrary suspension of the work on the Victoria Bridge. He believed the proviso had originated in a petty local prejudice of the worst description.²⁹

MR. BROWN said it was that proviso alone which had carried the Bill through. (Hear, hear,) and if the Inspector General were to say now that the Company were to apply their funds to building the Victoria Bridge, before the road to Stratford was completed, it would not be carried even yet. (Hear, hear.)³⁰

MR. COM. CR. LANDS CAUCHON also supported the proviso. Without it, the Company might have gone on with their Bridge, and after spending this 900,000L, come down to the House again to ask for another 900,000L, to finish the road.³¹

((Des ministres)) répondirent que ce pont n'était pas abandonné pour jamais, et qu'il serait peut-être continué lorsque le chemin serait en opération, mais qu'il fallait d'abord terminer la partie payante du chemin.³²

D'ailleurs, ajouta MR. INSP. GEN. CAYLEY, je crois, que ce proviso n'empêchera pas les contracteurs de terminer le pont s'ils le désirent; seulement la compagnie ne pourra pas donner d'argent pour cet object.³³

The amendment was negatived³⁴.

(1044)

Mr. Antoine Aimé Dorion moved in amendment to the Question, seconded by Mr. Holton, That all the words after "Bill" to the end of the Question be left out, in order to add the words "be amended, by leaving out the Proviso to the second paragraph numbered one of the first Clause" instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bourassa, Bureau, Charles Daoust, Jean B.E. Dorion, Antoine A. Dorion, Galt, Holton, Jobin, Papin, Prévost, and Valois.--(11.)

NAYS.

Messieurs Aikins, Bell, Bellingham, Biggar, Blanchet, Bowes, Brodeur, Brown, Cameron, Cartier, Casault, Cauchon, Cayley, Chabot, Chapais, Christie, Church, Clarke, Cooke, Cook, Crawford, Crysler, Daly, Jean B. Daoust, Dionne, Attorney General Drummond, Dufresne, Felton, Fergusson, Thomas Fortier, Octave C. Fortier, Fournier, Frazer, Freeman, Gill, Gould, Hartman, Hincks, LeBoutillier, Lemieux, Lumsden, Macbeth, John S. Macdonald, Attorney General Macdonald, Roderick McDonald, Mackenzie, Sir A.N. MacNab, Matheson, Merritt, Joseph C. Morrison, Angus Morrison, Murney, Pouliot, Rhodes, Robinson, Rolph, Solicitor General Ross, James Ross, Scatcherd, Shaw, Solicitor General Smith, James Smith, Southwick, Spence, and Wright.--(65.)

So it passed in the Negative.

And the Question being again proposed, That the Bill do pass, and the Title be, "An Act for granting additional Aid, by Loan, to the Grand Trunk Railway Company of Canada;"

Mr. Antoine Aimé Dorion moved in amendment to the Question, seconded by Mr. Holton, That all the words after "Bill" to the end of the Question be left out, in order to add the words "be amended, by adding the words 'And provided that nothing in this Act shall prejudice the security of the Corporation of the City of

(1045)

Montreal, as holders of preferential Stock issued by the former St. Lawrence and Atlantic Railroad Company, under the Act 12 Vic. cap. 176' to the paragraph numbered two of the first Clause" instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bourassa, Brown, Bureau, Christie, Charles Daoust, Jean B.E. Dorion, Antoine A. Dorion, Frazer, Hartman, Holton, Jobin, John S. Macdonald, Roderick McDonald, Mackenzie, Marchildon, Papin, Prévost, Rolph, Scatcherd, and Valois.--(16.)

NAYS.

Messieurs Aikins, Bell, Biggar, Blanchet, Bowes, Brodeur, Cartier, Casault, Cauchon, Cayley, Chabot, Church, Clarke, Cooke, Crawford, Crysler, Daly, Dionne, Attorney General Drummond, Dufresne, Felton, Fergusson, Thomas Fortier, Octave C. Fortier, Fournier, Freeman, Galt, Gill, Gould, Hincks, LeBoutillier, Lemieux, Lumsden, Macbeth, Attorney General Macdonald, Sir A.N. MacNab, Matheson, Merritt, Joseph C. Morrison, Angus Morrison, Munro, Murney, Pouliot, Rhodes, Robinson, Roblin, Solicitor General Ross, James Ross, Shaw, Solicitor General Smith, James Smith, Southwick, Spence, and Wright.--(54.)

So it passed in the Negative.

Then the main Question being put; the House divided:--And it was resolved in the Affirmative.

Ordered, That the Honorable Mr. Cayley do carry the Bill to the Legislative Council, and desire their concurrence.

The Order of the day for the second reading of the Bill to provide means for the Sale of Lands held for the purposes of Educational Institutions in Upper Canada, when such Lands cannot be conveniently used for such purposes, being read;

The Bill was accordingly read a second time; and referred to a Select Committee, composed of Mr. Solicitor General Smith, Mr. Crawford, the Honorable Mr. Cameron, Mr. Southwick, and Mr. Brown, to report thereon with all convenient speed; with power to send for persons, papers, and records.

The Order of the day for the second reading of the Bill from the Legislative Council, intituled, "An Act to authorize the Sale or Lease of Lands in Upper Canada held in Trust for the use of Congregations or Religious Bodies," being read;

The Bill was accordingly read a second time; and referred to the Select Committee on the Bill to provide means for the Sale of Lands held for the purposes of Educational Institutions in Upper Canada, when such Lands cannot be conveniently used for such purposes.

((On motion of)) MR. AT. GEN. DRUMMOND³⁵,

(1045)

Mr. Holton reported the Bill to reform the Municipal System of Lower Canada, and to establish County, Parish, and Township Municipalities therein; and the amendments were read.

The Honorable Mr. Attorney General Drummond moved, seconded by Mr. Solicitor

(1046)

General Smith, and the Question being proposed, That the said amendments be now read a second time;

Mr. Fournier moved in amendment to the Question, seconded by Mr. Dionne, That all the words after "That" to the end of the Question be left out, in order to add instead thereof the words "the Bill be recommitted to a Committee of the whole House, to amend the same, by leaving out the 6th, 8th and 10th³⁶ paragraphs of the 8th Clause, the 2nd paragraph of the 10th Clause, the 4th and 6th paragraphs of the 11th Clause, and the 23rd, 26th, 27th, 28th, 29th and 30th Clauses of the Bill as reprinted, all which Clauses and parts of Clauses relate to Local Councils, so that the County Councils may alone be established, unless a majority of the inhabitants of each Township or Parish shall require the contrary, by Petition to be addressed either to the Government or to the County Council;"

And the Question being put on the Amendment; the House divided:--And it passed in the Negative.

And the Question being again proposed, That the said amendments be now read a second time;

MR. SANBORN, in amendment, moved the recommitment of the bill, to make certain amendments thereto.... ((He complained)) of the incongruity of the office of County Superintendent with professed local self-government.--These municipal institutions should be based on no other principle than the rule of the majority. Any infringement of that rule would be prejudicial to their success. But they might be told a portion at least, of the people of Lower Canada were not prepared to work those institutions properly. He thought the way to teach them how to use them was to give

them at once to them. It had been urged against the probable success of elective institutions in the United States, that the influx of large numbers of persons from Europe unaccustomed to such institutions, and not understanding the((i))r working, would in the end introduce confusion, and break them down. But it had not proved to be so. On the contrary, it was surprising to see how soon they learned how to make use of, and take a pride in exercising these municipal privileges. It was said similar institutions to those of Upper Canada could not be established here; but he found, on enquiry, that in Kent and Essex, where there were a good many settlers of French descent they had at first, indeed resisted their introduction, but soon consented to work them, and now worked them well, had made themselves thoroughly acquainted with their details, and liked to exercise the privileges they conferred. He thought the Municipal institutions of both parts of the Province should be the same, and if ever that was to be brought about, which the Attorney General had often expressed a wish for, viz. an assimilation and codification of the laws, they should begin now. If, they commenced now by placing these institutions on different bases, they were only increasing the difficulty of their future assimilation, or rendering it altogether impracticable. He objected to county superintendents, as possessing powers and functions above the Councils. It was his duty to whip them into their duty whether they liked it or not, and exercised a controlling authority over them. He even had power to sue the very Council by which he was elected. He could act without its authority--receive personal application for county work at his own office, apart from that of the Council. Some time this unnatural excrescence on the system must be rooted out--and the sooner the better. To introduce a measure thus faulty, in place of that already working well in the country, was to take a retrograde step--not to advance. Another ground of objection which he proposed to remove by an amendment, was the permission given under this Act to keep up the roads in three different modes, at the option of each Council, viz., by statute labor, assessment, or frontage labor; a distinction being also drawn, as under the old road law, between bye-roads and front roads. He would propose that all roads should be built by assessments, commutable at the option of the Council into labor. If it were necessary to keep up the old road system at all, it should be maintained quite separate from any power conferred on Municipal Councils. Another amendment which he had intended to propose--to take away the right of appeal from Township to County Councils--had already been made in Committee of the Whole. But the bill was defective, inasmuch as in the place of this appeal to the Councils, no review of the by-laws by any Court was provided for. Another of his amendments would go to remedy this. It was quite certain that many of the by-laws made by the inexperienced men who would get into the township Councils, that they would exceed their legal powers. For this reason a Court of Review was necessary. The sort of procedure to be adopted before it would be altogether different from the appeal--for with the appeal almost everything would have to be done twice over--once by the Township and once by the County Council. He thought the local Councils the best judges of their own interests, though not of the law which controlled them. Another objection was that there were two places for the deposit of papers; some were to be left with the Secretary and Treasurer and some with the County Superintendent. He thought it should be left with the former. Another highly objectionable provision of the bill was that which gave Councils the right to assess the income of tradesmen, shopkeepers, &c.³⁷ These men might pay as much tax on their emplacements as the neighboring farmers, and then be taxed over and above on the profits derived from their business. This was partial and unjust. The only proper remedy for this was to adopt the principle of assessing personal as well as real property--the only manner in which taxation could be equalized. He thought too it was a defect in the bill

that the Municipalities were not allowed to make provision for the poor. It had been urged, indeed, in Committee, when the proposition was made, that such a provision would just encourage idleness, and discourage that self-reliance necessary for successful industry and progress; and that the relief of the destitute was better left to individual charity.--That was, however, to throw the burden which all were bound to bear alike on the benevolent few. In the New England States these institutions had been found to work well, and to be attended with none of the evils apprehended.³⁸ In many of the States poor farms had been established, and by prudent, economical management, made self-sustaining. Why, then should the power be refused our Municipal Councils to do the same thing? If, after experiment they found that injurious effects sprung from these institutions they could give them up, but they would hurt no one but themselves by making the experiment. Another objection to the bill was its extreme length, and the multiplicity of its forms and provisions, likely to lead to confusion on the part of those attempting to carry it into effect. He regretted the Att'y Gen. had not sent it before a select committee, composed of members who had had experience in the working of municipal institutions in L. Canada, where alone it could have been properly revised. The fact was, by this measure they were pulling down the old system which was working well enough and were not building up a satisfactory system in its stead. He was surprised at the form and mode of enforcing penalties provided by the bill. The enforcement of the law was given to Justices of the Peace who were clothed with extraordinary powers for that purpose. A contrainte par corps was accorded in some instances, a process not known to a magistrate's jurisdiction. Again execution was ordered to issue after 8 days. Now that was a writ emanating from a Civil Court: the magistrate's writ of this nature was a warrant of distress. Other perplexing forms and processes were provided which no constable or bailiff would know how to execute. Again costs were given as in a Court of Civil jurisdiction. What Court? The Commissioners Court had one tariff, the Circuit another, yet each were Courts of civil jurisdiction; which was to be followed?³⁹

MR. FELTON thought the objections taken were rather captious than friendly. He thought the forms which had been complained of as prolix would be found especially useful. Few notices or documents had been drawn by Secretary-Treasurers except those trained by a ten or twelve years' experience, without blunders. He thought the office of County Superintendent necessary in Lower Canada where a portion of the people required to be in a measure forced into the use of municipal institutions. With regard to the exception taken to the word execution, that was a generic term, not the name of any writ issuing from Civil Courts. These were styled fi fa, or vend. exp.; the word execution included all writs of this nature.⁴⁰

MR. SOMERVILLE next addressed the House, but owing to the noise in the House was almost inaudible. He was understood to support generally Mr. Sanborn's views. He thought it would be of questionable advantage to institute the present measure, for the law which was now working very well, at least in his constituency. He did not pretend to speak for the rest of Lower Canada. The petitions he had presented complained of the County Superintendent as the most obnoxious feature of the bill.⁴¹

MR. AT. GEN. DRUMMOND said that many of the things complained of had been already struck out of the bill. As for the county Superintendent he would do nothing without the assent of the Council, he believed, but trace out winter roads, and as the snow and ice would not wait for the regular meeting of the Council, it would be inconvenient to have it otherwise. With regard to the revised mode of

making the roads, he begged hon. members to remember that they had to legislate as well for Rimouski as Huntingdon, for the District of Three Rivers and Quebec as well as for St. Francis and Montreal, and they should not force the people to change their custom by an arbitrary enactment. The old system would only be retained so long as the representations of the people in the country desired it. There was nothing, whatever to prevent the people of Compton and Huntingdon building their roads by assessments if they desired, and he knew there were some Township Counties which were not at all in favor of making the roads with assessments. With respect to the assessments of personal property, too, the same remark would apply.--He admitted the principle to be correct, but he knew it was looked on as highly objectionable by a great portion of the people of the country. They should not break through old customs and old habits of thought with too wide a hand. Laws should be based to a certain extent on the usages and habits of thought of the people.--Politics was the science of circumstances, and it was utterly impossible to carry many a theoretical good into practical effect. With regard to the documents necessarily left with the County Superintendent, copies were to be left with the Secretary-Treasurer. The forms complained of as a prolix might not benefit lawyers, but he believed the country people who had to carry out the law should be thankful that they were provided. There was no necessity to provide a special Court of Review. That provided by the law now in operation could only act within two years after passing a bye law while the ordinary Courts could take cognizance of illegal or imperfect bye laws at any time.⁴²

MESSRS. TERRILL, BELLINGHAM, and DUFRESNE took part ... ((in)) some further discussion⁴³.

(1046)

Mr. Sanborn moved in amendment to the Question, seconded by Mr. Galt, That all the words after "That" to the end of the Question be left out, in order to add instead thereof the words "the Bill be recommitted, with instructions to amend and reform the same in the following particulars:--

1. "To establish a Court of Review to determine the legality of By-Laws of all Municipal Councils.
2. "To give every Township and Parish jurisdiction over all Municipal matters in which such Township or Parish is exclusively interested.
3. "To restrict the powers of County Councils to the regulation and control of County concerns, and the adjustment of questions in which more than one Parish or Township is interested.
4. "To abolish the office of County Superintendent, and to render every officer named by the Councils merely a servant of the Council, with no power to act without the consent of, and only in obedience to, the order of the Council by which he is named.
5. "To place all roads and bridges solely under the control of Councils, and to provide for their being maintained by assessment in money, commutable into work, at the option of Councils.
6. "To make all property, as well personal as real, the basis of assessment for all Municipal purposes.
7. "To enable local Councils to make provision, if they see fit, for the support of the Poor within their limits.
8. "To render the office of the Secretary-Treasurer the only place where records, procès-verbaux, maps, plans, bonds and all documents relating to subjects within the jurisdiction of Councils shall be kept.

9. "To give to all Councillors, including the Mayors or Presiding Officers, a right to vote upon all questions, but to render it necessary to have a majority of votes of all Councillors present to secure the passage of any measure;"

Ordered, That the Question be put upon each paragraph of the said proposed Amendment.

And the Question being put on the first paragraph of the said Amendment; the House divided: and the names being called for, they were taken down, as follow:--

(1046-1047)

YEAS.

Messieurs Bourassa, Brown, Christie, Cooke, Antoine A. Dorion, Fergusson, Ferrie, Foley, Frazer, Galt, Holton, Jobin, John S. Macdonald, Roderick McDonald, Marchildon, Murney, Papin, Prévost, Sanborn, Scatcherd, Somerville, and Valois.
--(22.)

(1047)

NAYS.

Messieurs Bell, Bellingham, Blanchet, Brodeur, Burton, Cartier, Casault, Cauchon, Cayley, Chabot, Chapais, Chauveau, Chisholm, Cook, Crawford, Crysler, Daly, Jean B. Daoust, Desaulniers, Dionne, Attorney General Drummond, Dufresne, Felton, Octave C. Fortier, Fournier, Gill, Guévremont, Hincks, Langton, Laporte, LeBoutillier, Lemieux, Macbeth, Attorney General Macdonald, Sir A.N. MacNab, McCann, Joseph C. Morrison, Munro, Niles, Poulin, Pouliot, Rankin, Rhodes, Robinson, Roblin, Solicitor General Ross, James Ross, Solicitor General Smith, James Smith, Spence, Terrill, and Thibaudeau.--(52.)

So it passed in the Negative.

And the Question being separately put on the second and third paragraphs of the said Amendment; the House divided upon each:--And it passed in the Negative.

And the Question being put on the fourth paragraph of the said Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bourassa, Bowes, Brown, Bureau, Chapais, Chauveau, Christie, Cook, Darche, Desaulniers, Jean B.E. Dorion, Antoine A. Dorion, Fergusson, Ferrie, Foley, Octave C. Fortier, Frazer, Galt, Holton, Huot, Jobin, John S. Macdonald, Roderick McDonald, Marchildon, Murney, Papin, Pouliot, Prévost, Sanborn, Scatcherd, Somerville, Thibaudeau, and Valois.--(33.)

NAYS.

Messieurs Bell, Bellingham, Blanchet, Brodeur, Burton, Cartier, Casault, Cauchon, Cayley, Chabot, Chisholm, Cook, Crawford, Crysler, Daly, Jean B. Daoust, Dionne, Attorney General Drummond, Dufresne, Felton, Fournier, Freeman, Gill, Guévremont, Hincks, Langton, Laporte, Lemieux, Macbeth, Attorney General Macdonald, Sir A.N. MacNab, McCann, Joseph C. Morrison, Niles, Poulin, Rhodes, Robinson, Roblin, Solicitor General Ross, James Ross, Solicitor General Smith, James Smith, Spence, and Terrill.--(44.)

So it passed in the Negative.

And the Question being put on the fifth paragraph of the said Amendment; the House divided:--And it passed in the Negative.

And the Question being put on the sixth paragraph of the said Amendment; the House divided: and the names being called for, they were taken down, as follow:--

(1048)

YEAS.

Messieurs Bellingham, Bourassa, Bowes, Brown, Bureau, Christie, Cooke, Clarke, Felton, Fergusson, Ferrie, Foley, Frazer, Freeman, Galt, Holton, Huot, Jobin, John S. Macdonald, Mackenzie, Marchildon, Munro, Murney, Papin, Prévost, Sanborn, Somerville, Terrill, and Valois.--(29.)

NAYS.

Messieurs Bell, Blanchet, Brodeur, Cartier, Casault, Cauchon, Cayley, Chapais, Chauveau, Chisholm, Clarke, Cooke, Crawford, Crysler, Daly, Daoust, Desaulniers, Dionne, Jean B.E. Dorion, Attorney General Drummond, Dufresne, Octave C. Fortier, Fournier, Gill, Guévremont, Hinch, Laporte, Lemieux, Macbeth, Attorney General Macdonald, Sir A.N. MacNab, McCann, Joseph C. Morrison, Niles, Poulin, Pouliot, Rhodes, Roblin, Solicitor General Ross, James Ross, Solicitor General Smith, James Smith, Spence, and Thibaudeau.--(44.)

So it passed in the Negative.

And the Question being put on the seventh paragraph of the said Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bowes, Brown, Christie, Jean B.E. Dorion, Antoine A. Dorion, Fergusson, Ferrie, Foley, Frazer, Freeman, Galt, Holton, Huot, John S. Macdonald, Mackenzie, Munro, Murney, Sanborn, Somerville, and Terrill.--(20.)

NAYS.

Messieurs Blanchet, Brodeur, Bureau, Cartier, Casault, Cauchon, Cayley, Chapais, Chauveau, Chisholm, Clarke, Cooke, Cook, Crawford, Daly, Jean B. Daoust, Darche, Desaulniers, Dionne, Attorney General Drummond, Dufresne, Felton, Octave C. Fortier, Fournier, Gill, Guévremont, Jobin, Laporte, Lemieux, Macbeth, Attorney General Macdonald, Sir A.N. MacNab, McCann, Marchildon, Joseph C. Morrison, Niles, Papin, Poulin, Pouliot, Rhodes, Robinson, Roblin, Solicitor General Ross, James Ross, Solicitor General Smith, James Smith, Spence, Thibaudeau, and Valois.--(49.)

So it passed in the Negative.

And the Question being separately put on the eighth and ninth paragraphs of the said Amendment; the House divided upon each:--And it passed in the Negative.

And the Question being again proposed, That the said amendments be now read a second time;

(1049)

Mr. Antoine Aimé Dorion moved in amendment to the Question, seconded by Mr. Sanborn, That all the words after "That" to the end of the Question be left out, in order to add instead thereof the words "the Bill be recommitted for the purpose of authorizing Councils, if they see fit, to make all property as well personal as real, the basis of Assessment for Municipal purposes";

Mr. Felton moved in amendment to the said proposed Amendment, seconded by Mr. Poulin, That all the words after "purpose" to the end of the Question be left out, in order to add instead thereof the words "of inserting between the 69th and 70th Clauses, the words 'All real and immoveable property in Lower Canada, and all personal and moveable property therein, shall be liable to assessment and taxation. The term personal and moveable property shall be construed to include all goods, chattels, shares in Incorporated Companies, monies, notes, accounts and debts at

their just value, and all other property not included in the term real and immoveable property.

"If the net personal and moveable property of any party shall be equal in value to any of the sums set down in the first column of the annexed Scale, but shall be less than the larger sum in the second column, he shall be assessed for such smaller sum only.

" 100L	"	"	100
" 200L	"	"	200
" 300L	"	"	300
" 400L	"	"	400
" 500L	"	"	500
" 600L	"	"	600
" 700L	"	"	700
" 800L	"	"	800
" 900L	"	"	900
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" 2600L	"	"	2600
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" 3000L	"	"	3000
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" 4100L	"	"	4100
" 4200L	"	"	4200
" 4300L	"	"	4300
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" 7200L	"	"	7200
" 7300L	"	"	7300
" 7400L	"	"	7400
" 7500L	"	"	7500
" 7600L	"	"	7600
" 7700L	"	"	7700
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" 8000L	"	"	8000
" 8100L	"	"	8100
" 8200L	"	"	8200
" 8300L	"	"	8300
" 8400L	"	"	8400
" 8500L	"	"	8500
" 8600L	"	"	8600
" 8700L	"	"	8700
" 8800L	"	"	8800
" 8900L	"	"	8900
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" 9100L	"	"	9100
" 9200L	"	"	9200
" 9300L	"	"	9300
" 9400L	"	"	9400
" 9500L	"	"	9500
" 9600L	"	"	9600
" 9700L	"	"	9700
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" 9900L	"	"	9900
" 10000L	"	"	10000

"And so forward, the sums thenceforth increasing by 250L;"

And the Question being put on the Amendment to the said proposed Amendment; the House divided:--And it passed in the Negative.

And the Question on the Amendment to the Original Question being put; the House divided:--And it passed in the Negative.

And the Question being again proposed, That the said amendments be now read a second time;

Mr. Jean Baptiste Eric Dorion moved in amendment to the Question, seconded by Mr. Valois, That all the words after "That" to the end of the Question be left out, in order to add instead thereof the words "the Bill be recommitted, with instructions to amend the 17th Clause, by leaving out all the words after 'duty of the' in the third paragraph, and inserting 'Mayor, or the Senior Councillor to cause a new Election to be held for the purpose of filling such vacancy, and to preside during the fifteen days next after his becoming aware of such fact;' "

And the Question being put on the Amendment; the House divided:--And it passed in the Negative.

And the Question being again proposed, That the said amendments be now read a second time;

Mr. Jean Baptiste Eric Dorion moved in amendment to the Question, seconded by Mr. Valois, That all the words after "That" to the end of the Question be left out, in order to add instead thereof the words "the Bill be re-committed, with instructions to leave out the fourth and fifth paragraphs of the 19th Clause, and to substitute the following: 'For having the County Registrars elected by the Municipal Electors when it shall be necessary to appoint any such officer, and such officers, when elected, shall be so elected for a term of four years;' "

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

(1049-1050)

YEAS.

Messieurs Brown, Christie, Jean B.E. Dorion, Antoine A. Dorion, Ferrie, Foley, Holton, Marchildon, Munro, Papin, Prévost, Somerville, Thibaudeau, and Valois.
--(14.)

(1050)

NAYS.

Messieurs Alleyne, Bell, Blanchet, Brodeur, Carrier, Casault, Chapais, Chapais, Chauveau, Clarke, Cooke, Cook, Crysler, Daly, Jean B. Daoust, Desaulniers, Dionne, Attorney General Drummond, Dufresne, Felton, Octave C. Fortier, Fournier, Gill, Lemieux, McCann, Joseph C. Morrison, Niles, Poulin, Pouliot, Rhodes, Roblin, Solicitor General Smith, James Smith, Spence, and Terrill.--(36.)

same by inserting at the end of the 5th Clause 'Sections 23, 27, 28, 29, 31, 32, 36, 39, 40, and 42, of an Act of the Legislature of this Province, passed in the Session thereof held in the thirteenth and fourteenth years of Her Majesty's Reign, intituled, 'An Act to repeal two certain Acts therein mentioned relating to Agriculture, and to provide for the remedy of abuses prejudicial to Agriculture,' shall be and they are hereby repealed.' "

By leaving out in the fourth paragraph of the 15th Clause, all the words after "For" and inserting "the erection, construction, opening, altering, excavating, cleansing, widening, maintenance, or repair of all fences, ditches, drains, or water-courses, other than those described in the 25th Section of the Act before cited in the 5th Clause of this Act, as works to be jointly performed; and also, for the erection, construction, establishing, altering, and maintenance of any ways and bridges for the crossing of such ditches, drains, or water courses."

By inserting in the second line of the third paragraph of the 23rd Clause, between the words "law" and "the" the words following: "to the erection, construction, opening, altering, excavating, cleansing, widening, maintenance, and repair of all fences, ditches, drains, or water-courses, other than those described in the 25th Section of the Act before cited in the 5th Clause of this Act, as work to be jointly performed; and also, to the erection, construction, establishing, altering, and maintenance of any way or bridge, for the crossing of such ditches, drains, or water courses; "

And the Question being put on the Amendment; the House divided:--And it passed in the Negative.

And the Question being again proposed, That the said amendments be now read a second time;

Mr. Foley moved in amendment to the Question, seconded by Mr. Ferrie, That all the words after "That" to the end of the Question be left out, in order to add the words "the Bill be re-committed, with instructions to introduce as a provision thereof a Clause or Proviso to the effect that none of the services to be performed by any of the Officers or persons appointed to perform any duties under the same, shall be paid for out of the Consolidated Revenue, but that provision for such payment shall be made by the Municipality on whose behalf or for whose benefit such services shall be performed" instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Brown, Christie, Ferrie, Foley, Munro, and Somerville.--(6.)

(1051-1052)

NAYS.

Messieurs Alleyn, Bell, Blanchet, Bourassa, Brodeur, Cartier, Casault, Cauchon, Cayley, Chapais, Chauveau, Clarke, Cooke, Crysler, Daly, Jean B. Daoust, Desaulniers, Dionne, Jean B.E. Dorion, Antoine A. Dorion, Attorney General Drummond, Dufresne, Felton, Octave C. Fortier, Fournier, Gill, Guévremont, Holton, Langton, Laporte, Lemieux, McCam, Marchildon, Angus Morrison, Niles, Papin, Poulin, Pouliot, Prévost, Rhodes, Roblin, Solicitor General Ross, Solicitor General Smith, James Smith, Spence, Terrill, Thibaudeau, and Valois.--(48.)

So it passed in the Negative.

(1052)

And the Question being again proposed, That the said amendments be now read a second time;

On motion of the Honorable Mr. Attorney General Drummond, seconded by the Honorable Mr. Lemieux,

Ordered, That all the words after "That" to the end of the Question be left out, in order to add the words "the Bill be re-committed to a Committee of the whole House, for the purpose of amending the sixteenth and forty-first Clauses" instead thereof;

Then the main Question, so amended, being put;

Ordered, That the Bill be re-committed to a Committee of the whole House, for the purpose of amending the sixteenth and forty-first Clauses.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Cooke reported, That the Committee had gone through the Bill, and made further amendments thereunto.

Ordered, That the Report be now received.

Mr. Cooke reported the Bill accordingly; and the whole of the amendments were read, and agreed to.

Ordered, That the Bill be read the third time To-morrow.

On motion of MR. COM. CR. LANDS CAUCHON,

The House went again into Committee on the Bill to make the Legislative Council Elective.

((He)) ... proposed to fill up the blanks as to the time of election, with the 1st August for issuing the writs, to be returnable on or before the first Tuesday of October⁴⁴.

It was objected by MR. BROWN that the very worst period of the whole year for electioneering had been chosen, the time when the farmers were busy with their harvest.⁴⁵

After some discussion the force of the objection was admitted, and the clause was altered so that the writs should be issued on the 1st September, and should be returnable by the first Tuesday of November.⁴⁶

The next blank ((being)) for the year in which the first election should take place,⁴⁷

MR. COM. CR. LANDS CAUCHON purposed to fill ((it)) up, not with 1855, but with 1856.⁴⁸

The proposal called forth expressions of astonishment from all quarters of the House, that the ministry should needlessly postpone the operation of the Bill for two years.⁴⁹

MR. COM. CR. LANDS CAUCHON excused the delay by saying that, if the measure went to England for the Royal assent, it might not perhaps come back in time to allow of an election during the present year.⁵⁰

To this it was replied that a much more voluminous Bill, of upwards of 100 pages, that to reform the municipal system ... might also have to go to England, but that nevertheless some of its provisions were actually to come into force so early as the 1st of July.⁵¹

MR. SOL. GEN. H. SMITH then urged another reason for fixing the first election for next year, that certain Schedules had been already printed with the date inserted for 1856.⁵²

The House seemed to regard this also as a frivolous excuse⁵³.

MR. COM. CR. LANDS CAUCHON, seeing that he could not carry out his views in the then temper of the House, postponed the consideration of the clause, and moved that the committee rise, report progress, and ask leave to sit again, which was agreed to.⁵⁴

(1052)

The House, according to Order, again resolved itself into a Committee on the Bill to amend the Imperial Act re-uniting the Provinces of Upper and Lower Canada; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Poulin reported, That the Committee had made some progress, and directed him to move for leave to sit again.

Ordered, That the Committee have leave to sit again on Friday next.

The Order of the day for the second reading of the Bill to revive, continue, and amend an Act passed in the sixteenth year of Her Majesty's Reign, relative to boundary lines in the West Gore of the Township of Beverly, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for Friday next.

The House, according to Order, again resolved itself into Committee of Supply; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Casault reported, That the Committee had made some progress, and directed him to move for leave to sit again.

Ordered, That the Committee have leave to sit again on Friday next.

The Order of the day for the second reading of the Bill to incorporate the Kingston and Smith's Falls Railway Company, being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Railroads, Canals, and Telegraph Lines.

(1053)

The Honorable Mr. Attorney General Macdonald moved, seconded by the Honorable Mr. Lemieux, and the Question being put, That the 71st Rule of this House be suspended as regards the said Bill; the House divided:--And it was resolved in the Affirmative.

*Then, on motion of Mr. Bureau, seconded by Mr. Holton,
The House adjourned.*

APPENDIX: 9 MAY 1855.

((REWARD TO MRS. BECKER.))

MR. RANKIN said he had some time ago called the attention of the House to the heroic conduct of a woman named Becker in saving the crew of a vessel, who but for her exertions might have perished, and which he considered deserving of some public acknowledgment. He had since procured a certified narrative of the facts, which he had laid before the Government. This document was in the following terms:--

"Narrative of the loss of the schooner Conductor, of Amherstburg, C.W., and ultimate rescue of the crew from drowning by Mrs. Margaret Becker, a Trapper's Wife, whose family are the sole inhabitants of Long Island Point, a neck of land twenty-five miles long, running out into Lake Erie:

"On the morning of the 20th November last, the Schooner left the Port of Amherstburg bound for Toronto with a cargo of ten thousand bushels of corn. The wind blew fresh from the S.W. all day, a heavy sea running meantime. About five o'clock P.M. the wind increased to a perfect hurricane and all the canvass was reefed snug down. Toward midnight a severe snow storm arose, the topsail sheets were carried away, the boat was washed from the davits, the deck swept clear of everything, and the vessel would not obey her helm, but seemed to settle in the trough of the sea. About 4 in the morning the crew made what they thought was Long Point Light, but which was in reality the floating light at Long Point Cut. The thickly drifting snow almost instantly obscured this light, and in about half an hour afterwards, the ill-fated vessel went ashore.

"Although but 200 yards away from the shore, it was impossible to form an accurate opinion as to the locality, as the snow was drifting very thickly. The sea making a clean breach over the schooner forced the crew into the rigging for safety, where they remained from five o'clock in the morning, till 2 o'clock P.M., ice making fast all the time, when the nearly frozen crew descried a woman and two little boys approaching along the beach, who kindled a fire on the beach and made signs to them to try and swim ashore. The sea running mountains high, the crew were afraid to venture, until the captain exclaimed, 'it is better to run the risk of being drowned than certainly freeze to death,' and overboard into the boiling surf he rushed. After almost superhuman exertions he nearly reached the shore, when his strength failed, and he sank as the undertow caught him. At this critical moment the woman rushed into the raging water up to her neck, caught him before he was carried away, and dragged him ashore, where with the assistance of her two little boys she carried him to the fire and at last revived him. The mate next made the attempt, but on reaching the surf he also failed and sank. The now revived captain rushed in to his rescue when they both sank exhausted, and again the woman rushed in and saved them both, the mate being completely lifeless, and it was some time before they got him to life again. Again and again did this angel of mercy rush into the raging waters and face death, till she actually rescued one by one five more of the seamen besides the captain and mate. Only one more remained in the rigging, as he was unable to swim. During all that dreadful night she paced the beach fearful that he might make the attempt to reach the shore, in which without aid he must have perished. Nor was this all. Alternately piling on logs, administering warm tea and assisting in the recovery of the mate and others, and pausing oft in her labours of humanity, she would wistfully gaze toward the stranded vessel and exclaim--'Oh, if I could only save that poor man, I should feel happy!'

"In the morning the sea fell considerably and the captain and hands constructed a raft, and succeeded in reaching the vessel and saving their dying comrade. During

the following week two American vessels were lost on the same point, to whose crews she was also of the greatest assistance, and in whose lonely hut they were sheltered, her husband being away at the other side of the Point, trapping.

"We the captain and crew whose names are hereunto attached, certify to the correctness of the above narrative. Signed, Henry Hackett, Captain; John Jones, Mate; James J. Cousins, Seaman; Jeremiah Lawyers, Cook; John Chambers, John McAuley, Jeroam D. Andrew, George Nicodemus, Seamen.

"I certify as owner of the schooner Conductor, that the above are the persons who were on board the schooner when she was wrecked as stated in the above narration. (Signed), Jeo. Macleod."⁵⁵

MR. PRES. EX. COUN. MACNAB said he had considered the woman, referred to in the preceding narrative, worthy the notice of the country, and the Government had determined to put in the estimates the sum of 50L to mark their sense of the conduct of such a heroine. (Hear, hear.)⁵⁶

FOOTNOTES: 9 MAY 1855.

1. GLOBE, 17 May 1855.
2. Further to the items stated in the JOURNALS, MONTREAL GAZETTE, 14 May 1855, reports in a commentary that "the Contingencies Committee has ... kicked against the payment of 338L 7s 3d for permanent improvements to the Music Hall, for which the House is paying so handsome a rent, that expenditure having been made without the supervision of the Sergeant-at-arms."
3. LA MINERVE, 19 May 1855.
4. MORNING CHRONICLE, 18 May 1855, reports a commentary outlining the purpose of this Bill.
5. GLOBE, 17 May 1855.
6. IBID.
7. IBID.
8. GLOBE, 17 May 1855. For more information submitted by Mr. Peto on 2nd May, 1854, the reader can refer to MONTREAL GAZETTE, 1 May 1855; MORNING CHRONICLE, 4 May 1855; and LA MINERVE, 10-12 May 1855. These newspapers have also reprinted correspondence between the British contractors and agents, a letter to Mr. Insp. Gen. Cayley, as well as financial statements, which outline the general situation of the Grand Trunk.
9. GLOBE, 17 May 1855.
10. IBID.
11. IBID.
12. MONTREAL GAZETTE, 14 May 1855.
13. IBID.
14. IBID.
15. GLOBE, 17 May 1855.
16. MONTREAL GAZETTE, 14 May 1855.
17. IBID.
18. GLOBE, 17 May 1855.
19. IBID.
20. IBID.
21. IBID.
22. IBID.
23. IBID.
24. IBID.
25. IBID.
26. MONTREAL GAZETTE, 14 May 1855.
27. LE PAYS, 22 May 1855.
28. GLOBE, 17 May 1855.
29. IBID.
30. IBID.
31. IBID.
32. LE PAYS, 22 May 1855.
33. IBID.
34. GLOBE, 17 May 1855.
35. MORNING CHRONICLE, 18 May 1855. MORNING CHRONICLE, 18 May 1855, MONTREAL GAZETTE, 14 May 1855, and GLOBE, 17 May 1855, report that Mr. At. Gen. Drummond moved the reception of the report of the Committee of the Whole on the Lower Canada Municipal Bill.
36. LE PAYS, 16 May 1855, and LA MINERVE, 19 May 1855, differ from the JOURNALS when reporting that Mr. Fournier proposed to leave out "les 6e, 8e et 11e paragraphes de la 8e clause".

37. MORNING CHRONICLE, 18 May 1855.
38. MONTREAL GAZETTE, 14 May 1855.
39. MORNING CHRONICLE, 18 May 1855.
40. IBID.
41. IBID.
42. IBID.
43. IBID.
44. GLOBE, 17 May 1855.
45. IBID.
46. IBID.
47. IBID.
48. IBID.
49. IBID.
50. IBID.
51. IBID.
52. IBID.
53. IBID.
54. IBID.
55. IBID.
56. GLOBE, 17 May 1855. HAMILTON SPECTATOR, 19 May 1855, which also carries this item, further reports that "Mr. Rankin also intends getting up a voluntary subscription, and the Governor General has given \$10 toward that subscription."

THURSDAY, 10 MAY 1855.¹

(1053)

THE Clerk laid upon the table a List of the Petitions against the discretionary Commutation scheme, shewing the place whence each Petition emanated, the name of the Member who introduced it, and the number of Signatures to each Petition; prepared in conformity to the Order of the House of the 30th ultimo.

For the said List, see Appendix (B.B.B.B.)

Ordered, That the said List be printed for the use of the Members of this House.

The following Petitions were severally brought up, and laid on the table:--

By Mr. Valois,--The Petition of H. Cartier, Mayor, in behalf of the Municipal Council of the County of Vaudreuil.

By Mr. Frazer,--The Petition of the Municipality of the Township of Crowland, County of Welland.

By the Honorable Mr. Attorney General Drummond,--The Petition of J. Delagrave, Mayor, and others, of St. John's and vicinity.

By Mr. Brown,--The Petition of the Reverend Gilbert Tweedie and others, of the County of Victoria; the Petition of George Willock and others, of the County of Victoria; and the Petition of Francis Willock and others, of the County of Victoria.

Pursuant to the Order of the day, the following Petitions were read:--

Of Duncan McFarland and others, of the County of Welland; representing that they are holders of Debentures issued under the authority of By-Laws of the late Provisional Municipal Council of the County of Welland; and praying for the passing of an Act authorizing the existing Council to raise the requisite means to pay off the said Debentures, and all other liabilities of the said County.

Of Patrick Finn and others, Bailiffs of the United Counties of Lincoln and Welland; praying that the Tariff of Fees at present allowed them may be increased.

Of T. Edmund Campbell and others, Proprietors of Seigniories in Lower Canada; praying that the Bill now before the House to amend the Seigniorial Act of 1854, may not become Law.

Of Pierre Gigault and others, of the Parish of St. Mathias; praying that a permanent Seat of Government may be established.

Of S. Kinny and others, of the Township of Chatham; and of James Smith, Warden, and others, of the County of Kent; praying that the line between the 7th and 8th Concessions of the Township of Sombra, and the line between Lots Nos. 15 and 16, in the Township of Dawn, and the northern limits of what was formerly the Township of

(1054)

Zone, may be the boundary line between the Counties of Kent and Lambton.

Of Peter Anderson and others; of Robert Wells and others, of the County of Ontario; and of Simon Clunas and others, of the Township of Oneida, County of Haldimand; praying that the discretionary power of commutation may not be exercised in carrying out the provisions of the Clergy Reserves Act.

Of O. Barrows and others, of the Township of Westminster, County of Middlesex; representing that they were induced to sign a Petition by means of misrepresentation praying that no action might be taken by the Government under the Commutation Clause in the Clergy Reserves Bill; and praying that their names may be erased from the said Petition.

Of John Kingsey and others, of the Township of Scott; praying for the passing of a Prohibitory Liquor Law.

Of W.P. Lacey and others, of the Village of Brampton; of John Watson, senior, and others, of Chinguacousy, in the County of Peel; of A. McLaren and others, of the Township of Caledon; and of W. Duggan and others, of the Township of Toronto, in the County of Peel; praying that the County of Peel may be separated from the County of York for Judicial purposes.

Of Joseph Morin and others, of the Parish of Deschambault, in the County of Portneuf; praying for certain amendments to the Seigniorial Tenure Act of 1854.

The Honorable Mr. Cameron, from the Standing Committee on Miscellaneous Private Bills, presented to the House the Forty-first Report of the said Committee; which was read, as followeth:--

Your Committee have considered the Bill to amend the Act incorporating the Sydenham Harbour Company, and have agreed to certain amendments, which they beg to submit for the consideration of Your Honorable House.

They have also considered the Bill to authorize the Municipality of the Village of Oshawa to construct a Harbour on Lake Ontario, and to make a Tram Road therefrom to the Village, with power to extend the same to Scugog Lake, and they do not consider it advisable that the said Bill should be proceeded with during the present Session, and therefore have not taken evidence upon the Preamble, in proof thereof.

The Honorable Mr. Cameron reported from the Select Committee on the Bill to amend the Registry Laws of Upper Canada, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Bill to amend the Act incorporating the Sydenham Harbour Company, as reported from the Standing Committee on Miscellaneous Private Bills, be committed to a Committee of the whole House, for To-morrow.

Mr. Solicitor General Smith reported from the Select Committee on the Bill to provide means for the Sale of Lands held for the purposes of Educational Institutions in Upper Canada, when such Lands cannot be conveniently used for such purposes; and on the Bill from the Legislative Council, intituled, "An Act to authorize the Sale or Lease of Lands in Upper Canada held in trust for the use of Congregations or Religious Bodies," That the Committee had gone through each of the said Bills, and directed him to report the same without amendment.

Ordered, That the said Bills be committed to a Committee of the whole House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Jean Baptiste Eric Dorion

(1055)

reported, That the Committee had gone through each of the said Bills, and directed him to report the same without amendment.

Ordered, That both of the said Bills be read the third time To-morrow.

The Honorable Mr. Cartier, one of Her Majesty's Executive Council, presented, pursuant to an Address to His Excellency the Governor General,--Return to an Address from the Legislative Assembly, of the 9th November, 1854, for Statement of sums paid for Official Advertizements, and the name of each Journal in which such Advertizements were published, &c.

For the said Return, see Appendix (C.C.C.C.)

The Honorable Mr. Cartier also presented, by Command of His Excellency the Governor General,--Report of the Senate of the University of Toronto for the year 1854.

For the said Report, see Appendix (M.)

Ordered, That the Bill to amend the Registry Laws of Upper Canada, and the Report of the Select Committee on the said Bill, be committed to a Committee of the whole House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Hartman reported, That the Committee had made some progress and directed him to move for leave to sit again.

Ordered, That the Committee have leave to sit again this day.

On motion of the Honorable Mr. Cameron, seconded by Mr. Solicitor General Smith, Resolved, That this House will immediately resolve itself into a Committee of the whole House to consider the propriety of granting certain Fees to Registrars in Upper Canada.

The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. James Smith reported, That the Committee had come to a Resolution.

Ordered, That the Report be now received.

Mr. James Smith reported the Resolution accordingly; and the same was read, as followeth:--

Resolved, That the following Fees shall be taken for the services to be performed by the Registrar of any County:--

On registering any Certificate of a suit or proceeding in Equity, two shillings and six pence.

On registering any Certificate of Decree, five shillings.

The said Resolution, being read a second time, was agreed to.

Ordered, That the said Resolution be referred to the Committee of the whole House on the Bill to amend the Registry Laws of Upper Canada.

The House, according to Order, again resolved itself into a Committee on the Bill to amend the Registry Laws of Upper Canada; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Hartman reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. Hartman reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill be read the third time To-morrow.

(1056)

Mr. Langton moved, seconded by Mr. Bellingham, and the Question being put, That the Bill to incorporate a Company to construct a Railroad from Peterborough to Mud Lake, as reported from the Standing Committee on Railroads, Canals, and Telegraph Lines, be committed to a Committee of the whole House; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Aikins, Alleyn, Bell, Bellingham, Brodeur, Burton, Cartier, Casault, Cauchon, Cayley, Chabot, Chapais, Chauveau, Chisholm, Christie, Cooke, Cook,

Crawford, Crysler, Delong, Desaulniers, Dionne, Antoine A. Dorion, Dufresne, Fergusson, Foley, Thomas Fortier, Octave C. Fortier, Fournier, Galt, Gill, Gould, Hartman, Hecks, Holton, Laporte, Lapill, Lemieux, Attorney General Macdonald, Roderick McDonald, McCann, Matheson, Joseph C. Morrison, Munro, Murney, Niles, Patrick, Pouliot, Rhodes, Robinson, Roblin, Solicitor General Ross, Sanborn, Shaw, Solicitor General Smith, James Smith, Somerville, Southwick, Stevenson, Thibaudreau, and Wright.--(61.)

NAYS.

Messieurs Bourassa, Bowes, Jean B.E. Dorion, Frazer, Jobin, Lumsden, Mackenzie, Marchildon, Papin, Prévost, Scatcherd, and Valois.--(12.)

So it was resolved in the Affirmative.

The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Bellingham reported, That the Committee had gone through the Bill, and made an amendment thereunto.

Ordered, That the Report be now received.

Mr. Bellingham reported the Bill accordingly; and the amendment was read, and agreed to.

Ordered, That the Bill be read the third time To-morrow.

Mr. Casault reported from the Select Committee on the Bill for the more effectual protection of Copyrights in this Province, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Bill and Report be committed to a Committee of the whole House, for Monday next.

The Honorable Mr. Chabot, from the Select Committee to which was referred the Petition of William Power, Esquire, of the City of Quebec, Circuit Judge, and other references, presented to the House the Report of the said Committee; which was read, as followeth:--

Your Committee having taken each and every the Petitions referred to them into their serious consideration, have come to the following determination, viz:--

That William Power, Esquire, Circuit Judge, is justly entitled to the sum of One hundred and eighty-five pounds two shillings and one penny currency, as claimed by him in his Petition; and further, to that of Twenty-nine pounds eleven shillings

(1057)

currency, being the amount incurred by him in the prosecution of the Petitioners in the Election Petition before the Superior Court.

That M.A. Hearn, Esquire, Student at Law, is justly entitled to the sum of One hundred and thirty-two pounds twelve shillings and six pence, as claimed by him in his Petition; and also, to the sum of Eleven pounds seventeen shillings and ten pence currency, for costs incurred by him in a Law Suit against the said Petitioners in the said Election Petition before the Superior Court.

That J.A. Taschereau, Esquire, Circuit Judge, is justly entitled to the sum of One hundred and fifty-two pounds six shillings currency, as claimed by him in his Petition.

That E.P. Dorion, Esquire, Advocate, is justly entitled to the sum of One hundred and ten pounds nine shillings and seven pence half-penny, as claimed by him in his Petition.

Your Committee have taken into consideration the Report of the Contingent Committee on the said Petitions. Since that Report was passed, the Petitioners, Judge

Power, M.A. Hearn, and E.P. Dorion, have instituted legal proceedings against the Petitioners in the Election Petition, and their action have been dismissed with costs, on the ground that Your Honorable House is liable to pay the said claims.

Although the said claims, strictly speaking, do not belong to the Contingencies of this House, nevertheless Your Committee are of opinion that they should be paid from that Fund, as it is the most expeditious and least expensive way of settling them.

Your Committee therefore recommend that an Order be given by Your Honorable House to the Clerk forthwith to pay each and every the aforesaid claims.

Ordered, That the said Report be committed to a Committee of the whole House, for Monday next.

On motion of the Honorable Mr. Chauveau, seconded by Mr. Dufresne,

Ordered, That the Bill from the Legislative Council, intituled, "An Act to provide for the settlement of the Estates of persons who have died or may die insolvent," be now read for the first time.

The Bill was accordingly read the first time; and ordered to be read a second time on Monday next.

Ordered, That the Petition of Joseph Morin and others, of the Parish of Deschambault, in the County of Portneuf, be referred to the Committee of the whole House on the Bill to amend the Seigniorial Tenure Act of 1854.

Ordered, That the Bill to incorporate the Aylmer Academy, as reported from the Standing Committee on Miscellaneous Private Bills, be committed to a Committee of the whole House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Papin reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time To-morrow.

MR. SOL. GEN. H. SMITH moved the third reading of the bill, to enable the Grand Trunk Railway Company to change the location of their line in or near Toronto.²

MR. BOWES, without wishing to occupy the time of the House, but believing the bill gave a very improper power to the Grand Trunk Company, moved in amendment: That the bill be recommitted ... ((to)) the whole House to add the following proviso:--That nothing in this act contained shall be construed as authorizing the Grand Trunk Company to locate their line of railway in any street of the said city, north of Front St.³

((It was)) seconded by MR. J. MORRISON (Niagara.)⁴

MR. SOL. GEN. H. SMITH said that parties not acquainted with Toronto, would not imagine for a moment on hearing the above amendment that there were no streets south of Front Street. To say that the line of Railway should not be located in any Street north of Front Street, was the same as saying that it should be located in Front Street.⁵

MR. BROWN was surprised at the ignorance of the Solicitor General, who seemed not to know that there were two streets now being made south of Front Street. True, there was still some appearance of Lake over them in the plans, but it did not follow that they might not by and by be good streets. (Laughter.)⁶

MR. HINCKS said it was not at all astonishing that the amendment should have been seconded by the President of the Ontario, Simcoe, and Huron Railroad.⁷

The amendment was then put to the House and negatived⁸.

(1057)

The Order of the day for the third reading of the Bill from the Legislative Council, intituled, "An Act to authorize the Grand Trunk Railway Company of Canada to change the location of their line in and near the City of Toronto," being read;

(1058)

Mr. Solicitor General Smith moved, seconded by the Honorable Mr. Hincks, and the Question being proposed, That the Bill be now read the third time;

Mr. Bowes moved in amendment to the Question, seconded by Mr. Joseph Curran Morrison, That all the words after "now" to the end of the Question be left out, in order to add the words "re-committed to a Committee of the whole House, for the purpose of inserting the following proviso: "Provided always that nothing in this Act contained shall be construed as authorizing the Grand Trunk Railway Company to locate their line of Railway on any Street of the said City, north of Front Street" instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Aikins, Bellingham, Bourassa, Bowes, Brown, Burton, Cameron, Chapais, Chauveau, Christie, Clarke, Cooke, Darche, Jean B.E. Dorion, Antoine A. Dorion, Ferrie, Frazer, Freeman, Gould, Hartman, Jobin, Lumsden, Mackenzie, Marchildon, Joseph C. Morrison, Papin, Prévost, Rankin, Robinson, Rolph, Scatcherd, Shaw, Thibaudeau, Valois, and Wright.--(35.)

NAYS.

Messieurs Bell, Biggar, Cartier, Chisholm, Church, Cook, Crawford, Crysler, Daly, Jean B. Daoust, DeLong, Desaulniers, Dionne, Attorney General Drummond, Dufresne, Felton, Ferres, Foley, Thomas Fortier, Fournier, Galt, Hincks, Holton, Langton, Laporte, John S. Macdonald, McCann, Matheson, Munro, Rhodes, Solicitor General Ross, Sanborn, Solicitor General Smith, James Smith, Stevenson, and Terrill.--(36.)

So it passed in the Negative.

MR. BROWN called the attention of the Speaker to the circumstance that the Inspector General had not voted.⁹

MR. INSP. GEN. CAYLEY said he was precluded from voting, having a personal interest in the question, as a water-lot owner.¹⁰

MR. CAMERON.--The Inspector General, I think, voted on the bill before, and it would be very desirable that he should vote again.¹¹

The question being again put for the third reading,

MR. BROWN said the house might be satisfied, from the conduct of the Grand Trunk company at Port Hope, Kingston and elsewhere, that they were not to be trusted with making the selection of a location for their line in Toronto. He would appeal to any hon. member, whether it would not be a most improper thing to allow the railway to be run through one of the principal streets in the city.¹² ((He)) did not think the Grand Trunk Company ought to have power of passing through the streets of Toronto without the permission of the Corporation.¹³ He hoped that the house would even yet throw out the bill.¹⁴

MR. HOLTON said, the difficulty here arose, not from the conduct of the Government, but from that of the city of Toronto towards the Company. He asked the member for Lambton, whether he was prepared to justify that conduct.--The action of the city of Toronto had made the passing of this bill absolutely necessary. Last Session, the city memorialized (sic) the House to give it the right to construct an esplanade over which they contracted with the Grand Trunk Company to allow a line to be run. That project failed to become law in consequence of a dispute between the Corporation and the water-lot owners, and subsequently the city had set aside, in violation of all law and equity, the contract it had made with the Grand Trunk Company. That was the position in which this placed the Grand Trunk Company with all its connections, East and West of Toronto, arranged for, and their right of way through Toronto contracted for.--Why all their plans were upset, as the city desired to spoliage the company, and ruin individuals who had come under engagements with it. It seemed to him, therefore, that those who opposed this bill, now, were bound to vindicate the conduct of the City Council of Toronto, as the only ground on which they can oppose this measure. He would like to hear if the member for Toronto (Mr. Cameron,) could vindicate the Council, or if Mr. Cayley, who was a member of the Council when the contract was made with the Grand Trunk Company, could do so.¹⁵ He would like that hon. gentleman to say whether he considered the city had displayed good faith in their recent repudiation of it.¹⁶ If the city of Toronto had not kept faith with the Grand Trunk Company, then this bill was evidently necessary, since neither the Company nor the public should be left to the mercy of the city.¹⁷

MR. HINCKS said there was no necessity for raising the question whether or not the Corporation had acted right in violating the contract. But he could not understand why the member for Toronto (Mr. Cameron) should object to the Bill, after a proviso had been introduced into it, framed by that hon. gentleman himself, referring any dispute as to the location of the line between the Corporation and the Grand Trunk Company, to be decided by the Board of Railway Commissioners.¹⁸

MR. BROWN.--The Railway Commissioners!--the mere servants of the Grank Trunk!¹⁹

MR. HINCKS said the hon. gentleman had no right to say anything of the kind.²⁰ They were in no way connected with the Grand Trunk. They were members of the Government appointed by statute.²¹ Were Mr. Lemieux, Mr. Spence, Mr. Killaly, servants of the Grand Trunk? And the Inspector General, who did not hold a single share in the Grand Trunk, was deeply interested in the prosperity of Toronto, and every one would be satisfied to do justice between the parties.²²

MR. BROWN said that the Inspector General and other members of the Government Board of Commissioners were directors of the Company and paid by the Grand Trunk,

and all the others were now voting against the interests of Toronto on this question, voting to hand over the decision of the whole matter to the Grand Trunk. He would like to know what benefit the people of Port Hope or the people of Kingston had derived from the intervention of the Railway Commissioners in similar questions. Whenever any section of the community had come into collision with the Company, the Commissioners had proved themselves entirely subservient to the Grand Trunk, instead of desiring to promote the public benefit.²³

MR. J. SMITH (Victoria) said that the Grand Trunk had not yet purchased the right of way at Port Hope, but the various applications that had been made to the Company on the subject had always been met in the kindest spirit. With regard to the present Bill, he was in favour of leaving the matter in the hands of the Railroad Commissioners.²⁴

MR. CAMERON said it was quite true that, on his suggestion, a proviso had been introduced submitting any disputes between the Corporation and the Company to the Railroad Commissioners. Without that, there would have been nothing to prevent the Grand Trunk from doing just as they pleased. But he conceived it would be much better, if the Bill provided that the railroad should only pass through Front Street, in the event of the Esplanade not being conducted. The Bill as it now stood was altogether contrary to the provisions of the General Municipal Law which said that no railway company should run their road through any street or highway without the consent of the Municipality. He was free to admit that this was an exceptional case, that the position taken by the Corporation of Toronto in regard to the Esplanade made some legislation necessary, but that legislation should be such that the rights of the citizens would not be interfered with. The Bill therefore should enact that the only street through which the Railway should be allowed to pass should be Front street, provided the corporation and the company could not agree as to the right of way.²⁵ As to the call to vindicate the action of the City Council, he saw no necessity to do so, and he did not choose to give any opinion upon it; but he had no hesitation in saying that the offer of the contractors to refer all matters in dispute to arbitration, was a very proper offer, and ought to have been accepted.--That, however, had nothing to do with the present question. For, admitting that legislation was necessary, it ought to be as guarded as possible.²⁶ He begged to move in amendment to the main motion, "That the Bill be recommitted to a committee of the whole House, to insert a Proviso therein, that the said Railway shall pass over Front Street in the city of Toronto only in the event of the said Esplanade not being constructed, or no agreement being made between the said company and the said city as to the said Railway passing over any other street in the said city."²⁷

MR. GALT said it was desirable that the road should go in front of the city, but the House had no evidence that it was possible for it to ((go)) along Front Street.²⁸

MR. J. MORRISON (Niagara) had no doubt the Esplanade would be built, and that the Company would locate their road on it, but he was quite ready to leave the matter in the hands of the Railway commissioners, who were responsible, not to the Grand Trunk, but to the whole country.²⁹

MR. HINCKS said the House did not know what was desired by the citizens of Toronto. Were the two hon. gentlemen who represented that city authorized by the

citizens to say that it should go along Front Street? Perhaps they might have some personal interest in the matter while the great body of the citizens might desire that it should pass along Queen Street. Rather than prescribe some particular street by law, he would allow the corporation themselves to determine the matter.³⁰

MR. CAMERON said the member for Renfrew had stated that the House was not aware whether the members for Toronto had authority from the citizens to represent them in this matter. Surely they had full authority, when they had presented a petition from the city, praying that this Bill might not become law. This gave them authority to oppose the measure in every way they could, or if it passed to endeavour to make it as favorable as possible to the interests of the citizens.³¹

MR. BOWES said that, such had been the aversion of the citizens to have a railroad running through the centre of the city that they made an offer to the Northern Railroad to give them the right of way free in order to get them to go along Front Street.³²

MR. MACKENZIE said it seemed hard that by a majority of one, the people of the principal city of Upper Canada should have a railroad forced through their most crowded thoroughfares, against their will, against the will of their Corporation, and against the will of those members of the House who had a local knowledge of the city from residence in it. And it was harder still that that majority should be obtained by the votes of two gentlemen who were partisans on one side, having a personal interest in the contract now disputed. How careful had the New York Legislature been to attend to the wishes of the citizens of New York in any case in which they allowed a railway to pass through the streets of that city. But here they allowed this Grand Trunk, and the Province agents, to be a Government within a Government, and to rule the country as they pleased to the injury of the community. He knew the evil of allowing steam cars to go through a crowded Street, and had himself been (sic) murder committed by it, and he thought it unfair that such a thing should be forced on the city by this House at the dictation of the Company, the majority being formed by the contractors who the city had now come to think had deceived and wronged them.³³ It was shameful that such a bill as this should be carried by the votes of two contractors, Messrs. Galt and Holton, who were personally interested in getting the law passed, in order to force the corporation into their terms.³⁴ There were no two men whom he esteemed more in private life, but he considered it his duty to protest against the wrong their votes had done to the community among whom he resided. The member for Montreal (Mr. Holton) asked the members for Toronto to vindicate the character of the citizens of Toronto. He (Mr. M.) thought they required to (sic) vindication. He believed it would turn out that the conduct of the present corporation in this matter had been pretty correct. At all events, the city should not be punished because the corporation, sworn to guard the interests of the citizens, had attempted to do so to the best of their ability. He did not think this House should leave the matter in the hands of the railway commissioners or the contractors or any one else, but that they should by an Act of Parliament themselves do what was fair and just between the parties.³⁵

(1058)

And the Question being again proposed, That the Bill be now read the third time; The Honorable Mr. Cameron moved in amendment to the Question, seconded by Mr. Bowes, That all the words after "now" to the end of the Question be left out, in order to add the words "re-committed to a Committee of the whole House, to insert a

Proviso therein, that the said Railway shall pass over Front Street in the City of Toronto only in the event of the said Esplanade not being constructed, or no agreement being made between the said Company and the said City as to the said Railway passing over any other Street in the said City" instead thereof;

L'amendement de M. Cameron étant mis aux voix,³⁶

MR. DIONNE, député de Témiscouata ... avait voté en faveur, ainsi que quelques autres formant la queue du ministère.³⁷

MR. PROV. SEC. CARTIER et MR. COM. PUB. WORKS LEMIEUX ... ((traversèrent)) la chambre pour les engager à changer leur vote.³⁸

MR. COM. PUB. WORKS LEMIEUX ne put réussir à induire M. Chapais à changer le sien³⁹.

MR. PROV. SEC. CARTIER prouva en deux mots à M. Dionne qu'il n'avait pas compris la question et qu'il fallait voter autrement.⁴⁰

MR. DIONNE ... se leva immédiatement et fit changer son vote.⁴¹

Des cris de honte! shame! se firent entendre à l'adresse du ministre et de ... ((Mr. Dionne)).⁴²

The amendment moved by Mr. Cameron was then negatived⁴³.

(1058)

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

(1058-1059)

YEAS.

Messieurs Aikins, Bourassa, Bowes, Brown, Bureau, Cameron, Chapais, Chauveau, Christie, Clarke, Cooke, Charles Daoust, Darche, Jean B.E. Dorion, Antoine A. Dorion, Fraser, Freeman, Gould, Hartman, Huot, Jobin, Langton, Lumsden, Rodolphe McDonald, Mackenzie, Marchildon, Munro, Papin, Prévost, Robinson, Rolph, Scatchell, Thibaudeau, Valois, and Wright.--(35.)

(1059)

NAYS.

Messieurs Alleyn, Bell, Brodeur, Cartier, Casault, Chabot, Chisholm, Church, Cook, Crawford, Crysler, Daly, Jean B. Daoust, Delong, Dionne, Attorney General Drummond, Dufresne, Felton, Fergusson, Foley, Octave C. Fortier, Fournier, Galt, Hinks, Holton, Laporte, Lawill, Leboutillier, Lemieux, Macbeth, John S. Macdonald, Attorney General Macdonald, Sir A.N. MacNab, McCann, Joseph C. Morrison, Niles, Powell, Rhodes, Roblin, Solicitor General Ross, Sanborn, Solicitor General Smith, James Smith, Southwick, Spence, Stevenson, and Terrill.--(47.)

So it passed in the Negative.

MR. MACKENZIE called the attention of the Speaker to the circumstance that Messrs. Galt and Holton were partners in the firm of Growski & Co. who had the

contract recently annulled by the Corporation of Toronto, and that being directly interested in the results of the present Bill, their votes should be disallowed.⁴⁴

MR. HOLTON ... said that he had no direct pecuniary interest in the bill.⁴⁵

MR. MACKENZIE said that, after that answer, he did not insist on the question being put to Mr. Holton's partner, and he withdrew his objection to their votes.⁴⁶

(1059)

Then the main Question being put; the House divided:--And it was resolved in the Affirmative.

The Bill was accordingly read the third time.

Mr. Solicitor General Smith moved, seconded by the Honorable Mr. Attorney General Macdonald, and the Question being put, That the Bill, with the Amendments, do pass; the House divided: and the names being called for, they were taken down as follows:--

YEAS.

Messieurs Alleyn, Bell, Biggar, Brodeur, Cartier, Casault, Chabot, Chapais, Chauveau, Chisholm, Church, Cook, Crawford, Crysler, Daly, Jean B. Daoust, DeLong, Desaulniers, Dionne, Attorney General Drummond, Dufresne, Felton, Ferres, Foley, Octave C. Fortier, Fournier, Freeman, Galt, Hincks, Holton, Langton, Laporte, Larwill, LeBoutillier, Lemieux, Macbeth, Attorney General Macdonald, Sir A.N. MacAul, McCam, Matheson, Joseph C. Morrison, Munro, Niles, Patrick, Lowell, Rhodes, Robinson, Roblin, Solicitor General Ross, Sanborn, Solicitor General Smith, James Smith, Somerville, Southwick, Spence, Stevenson, Terrill, and Thibaudeau.--(58.)

NAYS.

Messieurs Aikins, Bourassa, Bowes, Brown, Bureau, Cameron, Christie, Clarke, Cooke, Charles Daoust, Darche, Jean B.E. Dorion, Antoine A. Dorion, Frazer, Gould, Hartman, Huot, Jobin, Lumsden, Roderick McDonald, Mackenzie, Marchildon, Papin, Prévost, Rolph, Scatcherd, Valois, and Wright.--(28.)

So it was resolved in the Affirmative.

Ordered, That Mr. Solicitor General Smith do carry back the Bill to the Legislative Council, and acquaint their Honors, that this House hath passed the same with several Amendments, to which they desire their concurrence.

(1060)

The Order of the day for the third reading of the Bill to reform the Municipal System of Lower Canada, and to establish County, Parish and Township Municipalities therein, being read;

The Honorable Mr. Attorney General Drummond moved, seconded by Mr. Solicitor General Ross, and the Question being proposed, That the Bill be now read the third time;

Mr. Jean Baptiste Eric Dorion moved in amendment to the Question, seconded by Mr. Papin, That all the words after "be" to the end of the Question be left out, in order to add the words "recommitted to a Committee of the whole House, with instructions to amend it so as only to permit the intervention of Registrars in the holding of Municipal Elections during the third week of July, and in the localities in which the Elections shall not have taken place during the two first weeks of the said month, so as to avoid all unnecessary expense" instead thereof;

And the Question being put on the Amendment; the House divided:--And it passed in the Negative.

And the Question being again proposed, That the Bill be now read the third time;
 Mr. Rhodes moved in amendment to the Question, seconded by Mr. Sanborn, That all the words after "be" to the end of the Question be left out, in order to add the words "recommitted to a Committee of the whole House, with instructions to amend it by leaving out the 70th Clause⁴⁷ thereof" instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Brown, Christie, Cooke, Charles Daoust, Darche, Antoine A. Dorion, Fergusson, Ferres, Foley, Galt, Huot, Jobin, Marchildon, Papin, Rhodes, Roblin, Sanborn, Somerville, Terrill, Valois, and Wright.--(21.)

NAYS.

Messieurs Aikins, Alleyn, Biggar, Brodeur, Cameron, Cartier, Casault, Cayley, Chabot, Chapais, Chauveau, Chisholm, Clarke, Cook, Crawford, Daly, Jean B. Daoust, Delong, Desaulniers, Dionne, Jean B.E. Dorion, Attorney General Drummond, Dufresne, Felton, Fournier, Frazer, Gould, Hartman, Langton, Laporte, LeBoutillier, Lemieux, Lumsden, Macbeth, Attorney General Macdonald, Mackenzie, McCann, Matheson, Joseph C. Morrison, Munro, Niles, Poulin, Prévost, Robinson, Roblin, Solicitor General Ross, Solicitor General Smith, Spence, and Thibaudeau.--(49.)

So it passed in the Negative.

Then the main Question being put; the House divided:--And it was resolved in the Affirmative.

The Bill was accordingly read the third time.

The Honorable Mr. Attorney General Drummond moved, seconded by the Honorable Mr. Cartier, and the Question being put, That the Bill do pass, and the Title be, "The Lower Canada Municipal and Road Act of 1855;" the House divided: and the names being called for, they were taken down, as follow:--

(1061)

YEAS.

Messieurs Alleyn, Biggar, Bowes, Brodeur, Cartier, Casault, Cayley, Chabot, Chisholm, Clarke, Cooke, Cook, Crawford, Crysler, Daly, Jean B. Daoust, Delong, Attorney General Drummond, Dufresne, Felton, Ferres, Octave C. Fortier, Frazer, Gill, Gould, Hincks, Langton, Laporte, LeBoutillier, Lemieux, Lumsden, Macbeth, Attorney General Macdonald, Mackenzie, McCann, Matheson, Joseph C. Morrison, Munro, Niles, Poulin, Rankin, Rhodes, Robinson, Roblin, Solicitor General Ross, Solicitor General Smith, James Smith, Southwick, Spence, Stevenson, and Terrill.--(51.)

NAYS.

Messieurs Bourassa, Brown, Chapais, Chauveau, Christie, Charles Daoust, Darche, Desaulniers, Dionne, Jean B.E. Dorion, Antoine A. Dorion, Fergusson, Foley, Fournier, Hartman, Holton, Huot, Jobin, Roderick McDonald, Marchildon, Papin, Prévost, Rolph, Sanborn, Somerville, Thibaudeau, and Valois.--(27.)

So it was resolved in the Affirmative.

Ordered, That the Honorable Mr. Attorney General Drummond do carry the Bill to the Legislative Council, and desire their concurrence.

The Order of the day for the second reading of the Bill to detach a certain part of the Township of Arthabaska from the District of Three Rivers, and to annex it to the District of Quebec, being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

The Order of the day for the second reading of the Bill to provide for a Survey of a certain part of the Township of Durham, being read;

Ordered, That the said Order be discharged.

The House, according to Order, again resolved itself into a Committee on the Bill to amend and consolidate the provisions contained in the Ordinances to incorporate the City and Town of Quebec, and to vest more ample powers in the Corporation of the said City and Town; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Casault reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. Casault reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill be read the third time To-morrow.

The Order of the day for the second reading of the Bill to authorize the Agricultural Societies of the Counties of Middlesex and Elgin to dispose of a certain tract of land therein mentioned, and for other purposes relative to the same, being read;

Ordered, That the said Order be discharged.

(1062)

The House, according to Order, resolved itself into a Committee on the Bill to incorporate certain persons under the style and title of the President, Directors, and Company of the Fort Erie Canal Company; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Aikins reported, That the Committee had gone through the Bill, and made an amendment thereunto.

Ordered, That the Report be received on Monday next, and be then the first Order of the day.

The House, according to Order, resolved itself into a Committee on the Bill to incorporate the Sisters of St. Joseph, in Toronto; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Papin reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time To-morrow.

The House, according to Order, resolved itself into a Committee on the Bill to enable the Great Western Railway Company to construct a Branch Railroad to the Town of Brantford, and to increase its Capital Stock, and for other purposes; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Patrick reported, That the Committee had gone through the Bill, and made amendments thereunto.

And the Question being put, That the Report be now received; the House divided:--And it was resolved in the Affirmative.

Mr. Patrick reported the Bill accordingly; and the amendments were read, and agreed to.

Mr. Holton moved, seconded by Mr. Antoine Aimé Dorion, and the Question being put, That the Bill be further amended, by leaving out the twenty-first Clause; the House divided:--And it passed in the Negative.

Ordered, That the Bill be read the third time To-morrow.

The Honorable Mr. Cartier, one of Her Majesty's Executive Council, presented, pursuant to an Address to His Excellency the Governor General,--Return to an Address of the Legislative Assembly, of the 2nd ultimo, for copies of Correspondence between the Chief Superintendent of Education in Upper Canada, and other persons, since the 1st January, 1853, on the subject of separate Schools.

For the said Return, see Appendix (B.)

Mr. Alfred Patrick, Chief Clerk of Committees and Election Petitions, laid before the House, pursuant to Order, the Minutes of Evidence taken before the Select Committee on the Montmagny Election Petition.

The House, according to Order, resolved itself into a Committee on the Bill to establish and confirm the original Survey of the Concession Lines in the Township of Niagara; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Thomas Fortier reported, That the Committee had gone through the Bill, and made an amendment thereunto.

Ordered, That the Report be now received.

Mr. Thomas Fortier reported the Bill accordingly; and the amendment was read, and agreed to.

Ordered, That the Bill be read the third time To-morrow.

The Order of the day for the second reading of the Bill from the Legislative Council, intituled, "An Act to enable Hypolite Dubord to obtain, as Assignee to George W. Livermore, a Patent for certain new and useful improvements in Machinery for making barrels and other casks," being read;

(1063)

The Bill was accordingly read a second time.

Mr. Casault moved, seconded by Mr. Solicitor General Smith, and the Question being proposed, That the Bill be now referred to the Standing Committee on Miscellaneous Private Bills;

The Honorable Mr. Cameron moved in amendment to the Question, seconded by the Honorable Mr. Merritt, That the word "now" be left out, and the words "this day three months" added at the end thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Aikins, Biggar, Blanchet, Brodeur, Brown, Barton, Cameron, Cartier, Christie, Cook, Jean B. Daoust, Darbois, DeLong, Attorney General Diamond, Dufresne, Felton, Ferrie, Fournier, Freeman, Gill, Gould, Guévremont, Hartman, Langton, Laporte, Lemieux, Lumsden, Roderick McDonald, Mackenzie, McCann, Merritt, Angus Morrison, Munro, Patrick, Poulin, Rankin, Rolph, Sanborn, Terrill, and Wright.-- (40.)

NAYS.

Messieurs Alleyn, Bourassa, Bowes, Bureau, Casault, Cauchon, Chapais, Chisholm, Cooke, Crawford, Crysler, Charles Daoust, Desaulniers, Dionne, Jean B.E. Dorion, Antoine A. Dorion, Fergusson, Thomas Fortier, Oclawe C. Fortier, Hinks, Holton, Jobin, Larwill, LeBoutillier, Attorney General Macdonald, Sir A.N. MacNab, Marchildon, Matheson, Joseph C. Morrison, Murphy, Papin, Pouliot, Prévost, Rhodes,

Robinson, Roblin, Shaw, Solicitor General Smith, James Smith, Southwick, Stevenson, Thibaudeau, and Valois.--(43.)

So it passed in the Negative.

Then the main Question being put;

Ordered, That the Bill be referred to the Standing Committee on Miscellaneous Private Bills.

The House, according to Order, resolved itself into a Committee on the Bill to confirm the City of Toronto in the possession of the Peninsula and Marsh now held by it under licence; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Wright reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time To-morrow.

The House, according to Order, resolved itself into a Committee on the Bill to incorporate the Benevolent Society of Notre Dame de Bonsecours of Montreal; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Prévost reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time To-morrow.

The House, according to Order, resolved itself into a Committee on the Bill to amend the provisions of the several Acts for the Incorporation of the City of Montreal; and after some time spent therein, Mr. Speaker resumed the Chair; and

(1064)

Mr. Chapais reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time To-morrow.

The House, according to Order, resolved itself into a Committee on the Bill to incorporate the St. Patrick's Orphan Asylum of Montreal; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Murney reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. Murney reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill be read the third time To-morrow.

The House, according to Order, resolved itself into a Committee on the Bill to incorporate Les Soeurs de la Présentation; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Brodeur reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time To-morrow.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

Mr. Speaker,

The Legislative Council have passed the following Bills, without Amendment; viz:--

Bill, intituled, "An Act to prevent the taking of Trout with Nets in the Lakes of the County of Saguenay:"

Bill, intituled, "An Act to authorize the City of Hamilton to negotiate a Loan of Fifty thousand pounds:"

Bill, intituled, "An Act to confirm the present boundaries of certain Lots in the Township of Winchester:"

Bill, intituled, "An Act to incorporate the Provident Life Assurance and Investment Company:"

Bill, intituled, "An Act to authorize William Fraser and Edouard Fraser to sell in Lots part of the Domain of the Seignior of Rivière du Loup:"

Bill, intituled, "An Act to incorporate the Literary Institute of Sherbrooke:"

Bill, intituled, "An Act to increase the Capital Stock of the City of Kingston Water Works Company:"

Bill, intituled, "An Act to amend the Act incorporating the Hamilton and Toronto Railway Company:"

Bill, intituled, "An Act to amend the Act of the present Session, intituled, 'An Act to authorize the sale of certain Lands described as Lots numbers five and six in Division A, of the Township of Guelph, and the re-investment of the proceeds for the objects of the Trust,' by substituting other Trustees in lieu of the Trustees nominated by the said Act:"

Bill intituled, "An Act to remove doubts as to the power of the Ontario, Simcoe, and Lake Huron Railroad Union Company to construct a Branch Line into the Town of Barrie:" And also,

The Legislative Council have agreed to the Amendment made by this House to the Bill, intituled, "An Act to amend the Act incorporating the Montreal Telegraph Company," without any Amendment: And also,

The Legislative Council have agreed to the Amendments made by this House to the Bill, intituled, "An Act to authorize the Grand Trunk Railway Company of Canada to change the location of their line in and near the City of Toronto," without any Amendment: And also,

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The Legislative Council have passed a Bill, intituled, "An Act to facilitate Private Settlements between Insolvent Debtors and their Creditors," to which they desire the concurrence of this House: And also,

The Legislative Council have passed a Bill, intituled, "An Act to authorize Investigations in cases of Accident by Fire in Quebec and Montreal," to which they desire the concurrence of this House: And also,

The Legislative Council request this House will communicate to their Honors the Evidence, Proofs, and Documents on which is founded the Bill, intituled, "An Act to remedy defects in the Patent Deed for Lot No. 4, in the Broken Concession B, and the front part of Lot No. 4, in the Broken Concession A, of the Township of Hamilton, in the County of Northumberland,"

And then he withdrew.

Resolved, That this House will send an answer to the last part of the said Message, by Messengers of their own.

And the Master in Chancery was again called in, and Mr. Speaker acquainted him therewith.

And then he again withdrew.

The House, according to Order, resolved itself into a Committee on the Bill to incorporate the Abbottsford Academy; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Dufresne reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time To-morrow.

The House, according to Order, resolved itself into a Committee on the Bill to authorize the Municipal Council of the County of Welland to raise means to liquidate certain debts and claims against the said County, and for other purposes; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Foley reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time To-morrow.

The House, according to Order, resolved itself into a Committee on the Bill to incorporate the Asylum of the Good Shepherd of Quebec; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Bureau reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time To-morrow.

The House, according to Order, resolved itself into a Committee on the Bill to incorporate the Victoria Hospital at Quebec; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Pouliot reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time To-morrow.

The House, according to Order, resolved itself into a Committee on the Bill to amend the Act incorporating the Metropolitan Gas and Water Company in the City of Toronto; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Crawford reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time To-morrow.

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The House, according to Order, resolved itself into a Committee on the Bill to amend the Act for the incorporation of the Provincial Insurance Company of Toronto; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Roblin reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. Roblin reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill be read the third time To-morrow.

The House, according to Order, resolved itself into a Committee on the Bill to amend the Charter of the Woodstock and Lake Erie Railway and Harbour Company;

The House being in committee on the bill to amend the charter of the Woodstock and Lake Erie Railway and Harbour Company,⁴⁸

MR. BROWN objected to the 5th clause, which gave the Company power to run trains on Sunday, if required to do so by the Post-Office Department. This was the first attempt that had been made in the country to legalize the running of trains on Sunday, in defiance of everything that was right and proper. Such a clause was not to be found in any other railway bill ever passed in the Legislature.⁴⁹

MR. CAMERON also opposed the clause.⁵⁰

MR. HINCKS said the matter was not understood. There was a special clause in the original charter of the company, which was not to be found in that of any other railway, that no trains should be run on Sunday. And the object of the clause now objected to was to repeal that provision, and to say that the Post Office Department might require a train to be run on Sunday. He ventured to say the honourable member for Toronto (Mr. Cameron) was exceedingly glad, when the English mail came in, to have a special train run on Sunday, in order to bring his letters. This was the case no farther back than last Sunday, and every one of those gentlemen who talked with so much cant in this matter, was exceedingly glad to get his English letters and papers by the Sunday train.⁵¹

MR. BROWN said that if he was one of the parties alluded to by the member for Renfrew, the honourable gentleman was totally mistaken. If any letters came to him by the English mail on Sunday, they remained in the post office till Monday. (Hear, hear.) It was not creditable to the Government to run special trains for any such purpose. The English mail would have come quite early enough if it had arrived early on the forenoon of Monday. And this very circumstance showed that in the case of no railway should this option be given to the Post Office Department.⁵²

MR. HINCKS said that during the whole of the last winter it had been impossible to send away the mails from Quebec for England on any other day than Sunday, without the very greatest inconvenience, and the thing had been constantly done.⁵³

MR. J. MORRISON (Niagara) did not think there should be any restriction put on this particular line, until the member for Lambton carried his bill to stop Sunday labour in all the Public Departments.⁵⁴

After some further discussion, the clause was partially modified, and the bill passed through committee.⁵⁵

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and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Powell reported, That the Committee had gone through the Bill, and made an amendment thereunto.

Ordered, That the Report be now received.

Mr. Powell reported the Bill accordingly; and the amendment was read, and agreed to.

Ordered, That the Bill be read the third time To-morrow.

The House, according to Order, resolved itself into a Committee on the Bill to incorporate the Amherstburg and St. Thomas Railway Company; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Bellingham reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. Bellingham reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill be read the third time To-morrow.

The House, according to Order, resolved itself into a Committee on the Bill to incorporate the St. Lawrence Insurance Company; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Casault reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time To-morrow.

The House, according to Order, resolved itself into a Committee on the Bill to amend the Act to incorporate the Bytown and Prescott Railway Company, and to change the name thereof; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Chisholm reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time To-morrow.

The House, according to Order, resolved itself into a Committee on the Bill to incorporate a Company to construct a Railway from Port Perry on Lake Scugog to intersect the Ontario, Simcoe, and Huron Union Railway at some point between Holland Landing and King; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Ferrie reported, That the Committee had gone through the Bill, and made an amendment thereunto.

Ordered, That the Report be now received.

Mr. Ferrie reported the Bill accordingly; and the amendment was read, and agreed to.

Ordered, That the Bill be read the third time To-morrow.

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The House, according to Order, resolved itself into a Committee on the Bill to divide the Township of Norwich into two separate Municipalities; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Gould reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time To-morrow.

The Order of the day for the second reading of the Bill to legalize a certain Assessment and School rate in the School Municipality of St. David, in the County of Yamaska, being read;

The Bill was accordingly read a second time; and ordered to be read the third time To-morrow.

The House, according to Order, resolved itself into a Committee on the Bill to incorporate the Oakville and Arthur Railway Company; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Macbeth reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. Macbeth reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill be read the third time To-morrow.

The House, according to Order, resolved itself into a Committee on the Bill to amend the Acts incorporating the Cobourg and Peterborough Railway Company, and to authorize the construction of a Branch thereof to the Marmora; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Joseph Curran Morrison reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time To-morrow.

The House, according to Order, resolved itself into a Committee on the Bill further to amend the Act incorporating the Montreal and Vermont Junction Railway Company; and after some time spent therein, Mr. Speaker resumed the Chair; and

Mr. Holton reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time To-morrow.

The House, according to Order, resolved itself into a Committee on the Bill to incorporate the Ontario and Bay of Quinté Canal Company; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Chisholm reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time To-morrow.

The House, according to Order, resolved itself into a Committee on the Bill to incorporate certain persons under the style and title of the Otter Creek Navigation Company; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Cook reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. Cook reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill be read the third time To-morrow.

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The House, according to Order, resolved itself into a Committee on the Bill to amend the Act incorporating the Quebec Fire Assurance Company, and to facilitate the management of the business of the said Company; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Crysler reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time To-morrow.

The House, according to Order, resolved itself into a Committee on the Bill to amend the Act incorporating the Port Burwell Harbour Company; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Alley reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time To-morrow.

The House, according to Order, resolved itself into a Committee on the Bill from the Legislative Council, intituled, "An Act to provide for an increase of the Capital Stock of the Quebec Gas Company;" and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Valois reported, That the Committee had gone through the Bill, and made Amendments thereunto.

Ordered, That the Report be now received.

Mr. Valois reported the Bill accordingly; and the Amendments were read, as followeth:--

Page 2, line 2. Leave out "of" and insert "not exceeding."

Page 2, line 3. Leave out from "Currency" to "to" in line 5.

The said Amendments, being read a second time, were agreed to.

Ordered, That the Bill, with the Amendments, be read the third time To-morrow.

The House, according to Order, resolved itself into a Committee on the Bill from the Legislative Council, intituled, "An Act to incorporate the Quebec Masonic Hall Association;" and after some time spent therein, Mr. Speaker resumed the Chair; and

Mr. Larwill reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time To-morrow.

The Order of the day for the second reading of the Bill to detach a certain Island at Burritt's Rapids, from the Township of Oxford, in the County of Grenville, and to annex the same to the Township of Marlborough, in the County of Carleton, being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

The Order of the day for the second reading of the Bill to detach the Township of Euphemia and parts of the Townships of Sombra and Dawn, from the County of Lambton, and to annex the same to the County of Kent, being read;

Mr. Brown moved, seconded by Mr. Hartman, and the Question being put, That the said Order be discharged; the House divided:--And it was resolved in the Affirmative.

The House, according to Order, resolved itself into a Committee on the Bill to repeal part of the Act 16 Vic. cap. 184, relating to Licenses on articles manufactured in this Province; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Macbeth reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

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Ordered, That the Bill be read the third time To-morrow.

The House, according to Order, resolved itself into a Committee on the Bill to authorize the keeping of separate Registers of Baptisms, Marriages and Deaths, in the different Catholic Churches in the Parish of Montreal; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Valois reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. Valois reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill be read the third time To-morrow.

The Order of the day for the second reading of the Bill to prevent furious driving on certain Highways in Lower Canada, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Joseph Curran Morrison reported, That the Committee had gone through the Bill, and made an amendment thereunto.

Ordered, That the Report be now received.

Mr. Joseph Curran Morrison reported the Bill accordingly; and the amendment was read, and agreed to.

Ordered, That the Bill be read the third time To-morrow.

The Order of the day for the second reading of the Bill to declare what shall be the legal text of the Acts of the Legislature in certain cases, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for Monday next.

The House, according to Order, resolved itself into a Committee on the Bill to remove doubts as to the right of the Judges of the Superior Court to preside at Enquêtes in appealable cases pending in Circuit Courts in Lower Canada; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Papin reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time on Tuesday next.

The House, according to Order, resolved itself into a Committee on the Bill to amend the Act 12 Vic. cap. 85, intituled, "An Act to amend the several Laws therein mentioned, relative to the appointment and duties of Inspectors of Weights and Measures in Upper Canada;" and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Hartman reported, That the Committee had gone through the Bill, and made an amendment thereunto.

Ordered, That the Report be now received.

Mr. Hartman reported the Bill accordingly; and the amendment was read, and agreed to.

Ordered, That the Bill be read the third time on Monday next.

The House, according to Order, resolved itself into a Committee on the Bill to amend the Act to establish Mutual Insurance Companies in Upper Canada; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Christie reported,

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That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time To-morrow.

The Order of the day for the second reading of the Bill to amend the Act 8 Vic. cap. 20, relative to Line-fences and Water-courses in Upper Canada, being read;

The Bill was accordingly read a second time; and ordered to be read the third time To-morrow.

Then on motion of Mr. Casault, seconded by Mr. Brown,
The House adjourned.⁵⁶

FOOTNOTES: 10 MAY 1855.

1. MORNING CHRONICLE, 11 May 1855, reports the House met "at eleven o'clock and sat till two p.m., re-assembling at the ... usual hour ((of)) three o'clock." MONTREAL GAZETTE, 14 May 1855, concurs with this information. However, various telegraphic reports state that the House sat till 12 p.m. only before meeting again at three. Such a long recess appears contrary to the usual practice of the House.
2. MONTREAL GAZETTE, 15 May 1855.
3. IBID.
4. GLOBE, 17 May 1855.
5. IBID.
6. IBID.
7. IBID.
8. IBID.
9. IBID.
10. IBID.
11. IBID.
12. IBID.
13. MORNING CHRONICLE, 19 May 1855.
14. GLOBE, 17 May 1855.
15. MONTREAL GAZETTE, 15 May 1855.
16. GLOBE, 17 May 1855.
17. MONTREAL GAZETTE, 15 May 1855.
18. GLOBE, 17 May 1855.
19. IBID.
20. IBID.
21. MONTREAL GAZETTE, 15 May 1855.
22. GLOBE, 17 May 1855.
23. IBID.
24. IBID.
25. IBID.
26. MONTREAL GAZETTE, 15 May 1855.
27. GLOBE, 17 May 1855.
28. IBID.
29. IBID.
30. IBID.
31. IBID.
32. IBID.
33. IBID.
34. MONTREAL GAZETTE, 15 May 1855.
35. GLOBE, 17 May 1855.
36. LE PAYS, 22 May 1855.
37. IBID.
38. IBID.
39. IBID.
40. IBID.
41. IBID.
42. LE PAYS, 22 May 1855. The scene reprinted here in French is part of a commentary reported by LE PAYS, 22 May 1855. This newspaper explains that "sur un amendement proposé par M. Bowes, les votes furent de 35 pour et 36 contre. Ceci surprit le ministère, et M. Cameron proposant un nouvel amendement dans

le même sens, on vit MM. Cartier et Lemieux parcourir les rangs et cabaler contre l'amendement." LE PAYS, 22 May 1855, also comments that "M. Cartier retourna ensuite d'une (sic) air triomphant s'asseoir sur les banquettes ministérielles."

43. GLOBE, 17 May 1855.
44. IBID.
45. MONTREAL GAZETTE, 15 May 1855.
46. GLOBE, 17 May 1855.
47. Several accounts reported by telegraph state that Mr. Rhodes proposed to leave out the "7th clause" of the Lower Canada Municipal and Road Act.
48. GLOBE, 17 May 1855.
49. IBID.
50. IBID.
51. IBID.
52. IBID.
53. IBID.
54. IBID.
55. IBID.
56. MONTREAL GAZETTE, 14 May 1855, reports that after the House reassembled at three in the afternoon, it "sat till six, then met again as usual at seven o'clock, and continued their evening session till after midnight".

FRIDAY, 11 MAY 1855.

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THE following Petitions were severally brought up, and laid on the Table:--

By Mr. Jean Baptiste Daoust,--The Petition of H.N. Delesderniers and others, of the Parish of Ste. Scholastique.

By Mr. Hartman,--The Petition of Thomas Duffill and others, Members of the Wesleyan Methodist Church of Brantford Circuit, County of Simcoe.

By Mr. Brown,--The Petition of P. McGregor and others, of the Township of Warwick, County of Lambton.

By Mr. Aikins,--The Petition of Robert Brown and others, of the Township of Caledon, County of Peel.

By Mr. Casault,--The Petition of L.U. Grénier, President, and others, on behalf of a Public Meeting held in the Parish of Lotbinière.

By the Honorable Mr. Spence,--The Petition of J.A. Wilkes and others, of Brantford.

By Mr. Roblin,--The Petition of Paul Shirley and others, Trustees of the Newburgh Academy.

By Mr. Alleyne,--The Petition of the Mayor, Aldermen, and Councillors of the City of Quebec.

Pursuant to the Order of the day, the following Petitions were read:--

Of the Reverend Aeneas McLean and others, of the Township of Newton, in the County of Soulanges; praying that the said County may not be annexed to the County of Vaudreuil.

Of John Nitchell and others, of the Township of Seymour, in the County of Northumberland; praying that the said Township may be separated from the County of Northumberland, and annexed to that of Hastings.

Of J.P. Proulx, Mayor, and others, of Ste. Marie, County of Beauce; praying for the passing of an Act to authorize the Quebec Turnpike Trust to issue Debentures to an amount necessary to macadamize the Road leading from the Church in the Parish of St. Henri, to the Church of Ste. Marie, Beauce.

Of William Best and others, of the County of Durham; of William Olver, senior, Reeve, and others, of the Township of Enniskillen, County of Lambton; of William Wallace and others, of the Township of Ramsay, County of Lanark; and of Andrew Moffatt and others, of the Township of Orillia, County of Simcoe; praying that the

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discretionary power of commutation may not be exercised in carrying out the provisions of the Clergy Reserves Act.

Of William Olver, senior, and others, of the Township of Enniskillen, County of Lambton; praying that a permanent Seat of Government may be established.

Mr. Fergusson, from the Select Committee appointed to try and determine the matter of the Petition complaining of an undue Election and Return for the City of Quebec, informed the House, That on the application of the Petitioners, the Committee have ordered the issue of a Commission for the examination of Witnesses on the part of the Petitioners, directed to Joseph André Taschereau, Esquire, one of the Circuit Judges of Lower Canada, pursuant to the Statute in that behalf, naming in the said Warrant, Friday the Twenty-fifth day of May instant, for the Commissioner to commence his proceedings.

Ordered, That the Select Committee on the Quebec Election Petition have leave to adjourn until such time as the Speaker of this House shall, by his Warrant, direct them to re-assemble pursuant to "The Election Petitions Act of 1851," and take the proceedings of the said Commissioner into consideration.

Resolved, That a Message be sent to the Honorable the Legislative Council, requesting their Honors to grant permission to the Honorable Etienne Pascal Taché, the Honorable Narcisse F. Belleau, and the Honorable Joseph Légaré, to appear and give evidence before the Commissioner appointed for the examination of Witnesses, by the Select Committee to which is referred the Petition of George Okill Stuart, of the City of Quebec, Esquire, and others, complaining of the undue Election and Return of Jean Blanchet, Esquire, Charles Alleyn, Esquire, and the Honorable Jean Chabot, as Members to represent the City of Quebec.

Ordered, That Mr. Fergusson do carry the said Message to the Legislative Council.

Mr. Stevenson, from the Standing Committee on Printing, presented to the House the Fifth Report of the said Committee; which was read, as followeth:--

Your Committee have, in accordance with the recommendation in their last Report concurred in by Your Honorable House, directed advertisements to be inserted in several Newspapers in the Cities of Quebec, Toronto, Montreal, Kingston, and Hamilton, calling for Tenders for the Printing, Binding, and Printing Paper required for the service of Your Honorable House, for four years, commencing on the 1st day of January 1856, and the result has been, that the following Tenders are recommended for acceptance, as being those which will secure the work to be done in the most efficient manner, as well as the cheapest rate, viz:--

For the Sessional Printing, in both languages:--Mr. John Lovell, of Montreal.

For the Printing of the Journals and Appendices, in both languages:--Messieurs Campbell and Perrault, of Montreal.

For the Binding:--Messieurs H. and F.C. Dredge, of Quebec.

And for Printing Paper:--Mr. Lovell, of Montreal.

Your Committee have given directions that Bonds, with sufficient Sureties, shall be entered into by the respective Parties, for the due performance of their contracts. All the work to be performed, and the material to be furnished, at the Seat of Government.

Your Committee have also directed that, as the work progresses under the several Contracts, payments may be made, by the Accountant, reserving in all cases twenty per cent. until the final completion of the work of each Session.

In order satisfactorily to carry out these directions, Your Committee recommend that the Accountant pay no monies on account of the aforementioned contracts without an Estimate of the amount due on the same is first made out and furnished him by

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Mr. Patrick, the Chief Clerk of Committees, to whose vigilant care over the Printing, and Printing Accounts of Your Honorable House, Your Committee take great pleasure in bearing testimony.

Ordered, That the said Report be printed for the use of the Members of this House.

Mr. Marchildon reported from the Select Committee on the Bill to authorize the Creditors of Public Officers to attach by Saisie Arrêt, after Judgment, the Salaries

and Emoluments of the said Officers, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Bill and Report be committed to a Committee of the whole House, for Monday next.

Mr. Pouliot reported from the Select Committee on the Bill to amend the Act, intituled, "An Act to provide for the better organization of Agricultural Societies in Lower Canada," That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Bill and Report be committed to a Committee of the whole House, for Monday next.

Mr. Pouliot reported from the Select Committee appointed to enquire concerning the operation of the Registry Ordinances or Laws requiring the registration of Mortgages, and the necessity of consolidating and amending the same, and another reference, That the Committee had gone through the Bill to provide in a more certain manner for order in enregestrations, and to facilitate enregistration and searches in the Registry Offices of Lower Canada, and made amendments thereunto.

Ordered, That the Bill and Report be committed to a Committee of the whole House, for Monday next.

Mr. Langton, from the Standing Committee on Standing Orders, presented to the House the Thirty-fifth Report of the said Committee; which was read, as followeth:--

Your Committee have examined the Petitions of Robert Blackburn and others, of the Townships of Dawn and the Gore of Camden; of L.H. Johnston and others, of the Village of Wallaceburg and the Township of Sombra; of John Gunne and others, of the Township of Euphemia, County of Lambton; and of the Municipality of the Township Euphemia, praying, respectively, for the annexation of the Townships of Dawn, Sombra, and Euphemia to the County of Kent; and also, the Petitions of James Shuter and others, of the Parishes of Montreal and Lachine, and of R.G. Greig and others, Proprietors of Farms on the Lower Lachine Road, praying for an amendment of the Montreal Water Works Act, so as to provide a remedy aganist (sic) the Corporation for damages done to their property, in the construction of the City Aqueduct; and they find that in none of these cases has the requisite Notice been given.

On motion of Mr. Angus Morrison, seconded by Mr. Chisholm,

Ordered, That the 67th Rule of this House be suspended as regards the Bill to remove doubts as to the power of the Ontario, Simcoe and Lake Huron Railroad Company constructing a Branch line into the Town of Barrie.

Resolved, That the Evidence, Proofs and Documents on which is founded the Bill, intituled, "An Act to remedy defects in the Patent Deed for Lot No. 4 in the Broken Concession B, and the front part of Lot No. 4 in the Broken Concession A, of the

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Township of Hamilton, in the County of Northumberland," be communicated by Message to the Legislative Council.

Ordered, That Mr. James Smith do carry the said Message to the Legislative Council.

Ordered, That the Petition of J.P. Proux, Mayor, and others, of Ste. Marie, County of Beauce, be printed for the use of the Members of this House.

Ordered, That the Return relative to Sectarian Schools, presented yesterday, be printed for the use of the Members of this House.

MR. PAPIN moved the printing of the motions and divisions of the Montmagny Election Committee.¹

MR. SOL. GEN. H. SMITH opposed the motion as useless and expensive.²

MR. HOLTON believed that the minority of the Committee wished to show that the report of the majority did not logically from (sic) the facts.³

MR. PAPIN remarked that no opposition had been made to the printing of the proceedings of any other election committee, and it showed the partiality which prevailed, when a member because he sat on one side of the House was refused, that which was granted without difficulty to members on the other side.⁴

MR. AT. GEN. DRUMMOND considered that it was necessary to begin somewhere. The cost of printing was becoming alarming from the fact that every thing was printed that was asked for. Only the other day he had seen a pamphlet containing a mere local matter the cost of printing, which had been 1000L.⁵

The motion was then lost.⁶

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Mr. Papin moved, seconded by Mr. Prévost, and the Question being put, That the Minutes of the Proceedings of the Select Committee on the Montmagny Election Petition be printed for the use of the Members of this House; the House divided, and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bourassa, Bowes, Brown, Chabot, Chapais, Chauveau, Charles Daoust, Darche, Desaulniers, Jean B.E. Dorion, Antoine A. Dorion, Ferrie, Foley, Thomas Fortier, Fournier, Frazer, Gill, Hartman, Holton, Jobin, John S. Macdonald, Roderick McDonald, Merritt, Munro, Papin, Prévost, Sanborn, Terrill, Thibaudeau, Turcotte, Valois, and Wright.--(32.)

NAYS.

Messieurs Biggar, Cameron, Cartier, Cauchon, Cayley, Chisholm, Church, Clarke, Cooke, Cook, Crawford, DeLong, Attorney General Drummond, Dufresne, Felton, Ferres, Octave C. Fortier, Langton, Laporte, Larwill, Lemieux, Lumsden, Macbeth, Attorney General Macdonald, Sir A.N. MacNab, McCann, Matheson, Meagher, Patrick, Poulin, Pouliot, Powell, Rankin, Robinson, Roblin, Shaw, Solicitor General Smith, James Smith, Southwick, Spence, and Stevenson.--(41.)

So it passed in the Negative.

On motion of Mr. Holton, seconded by Mr. Antoine Aimé Dorion,

Ordered, That the Bill from the Legislative Council, intituled, "An Act to authorize Investigations in cases of Accident by Fire in Quebec and Montreal," be now read for the first time.

The Bill was accordingly read the first time; and ordered to be read a second time on Monday next.

On motion of the Honorable Mr. Chabot, seconded by Mr. Alleyn,
Ordered, That the Bill from the Legislative Council, intituled, "An Act to facilitate Private Settlements between Insolvent Debtors and their Creditors," be now read for the first time.

The Bill was accordingly read the first time; and ordered to be read a second time on Monday next.

(1074)

On motion of the Honorable Sir Allan N. MacNab, seconded by Mr. Solicitor General Smith,

Ordered, That the Orders of the day be now read.

And the Order of the day for the third reading of the Bill from the Legislative Council, intituled, "An Act to authorize the sale or lease of Lands in Upper Canada held in trust for the use of Congregations or Religious Bodies," being read;

The Bill was accordingly read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Cameron do carry back the Bill to the Legislative Council, and acquaint their Honors that this House hath passed the same, without any Amendment.

A Bill to provide means for the Sale of Lands held for the purposes of Educational Institutions in Upper Canada, when such Lands cannot be conveniently used for such purposes, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be "An Act to provide means for the Sale of Lands held for the purposes of Public Educational Institutions in Upper Canada, when such Lands cannot be conveniently used for such purposes."

Ordered, That the Honorable Mr. Cameron do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to amend the Registry Laws of Upper Canada, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Cameron do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to incorporate a Company to construct a Railroad from Peterborough to Mud Lake, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title, be "An Act to incorporate the Peterborough and Chemong Lake Railway Company."

Ordered, That Mr. Langton do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to incorporate the Aylmer Academy, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Cooke do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to amend and consolidate the provisions contained in the Ordinances to incorporate the City and Town of Quebec, and to vest more ample powers in the Corporation of the said City and Town, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Alleyn do carry the Bill to the Legislative Council, and desire their concurrence.

The Order of the day for the third reading of the Bill to incorporate the Sisters of St. Joseph, in Toronto, being read;

The Honorable Mr. Cameron moved, seconded by Mr. Bowes, and the Question being proposed, That the Bill be now read the third time;

Mr. Mackenzie moved in amendment to the Question, seconded by Mr. Brown, That

(1075)

the word "now" be left out, and the words "on the thirty-first day of July next" added at the end thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Biggar, Brown, Chisholm, Christie, Cook, Fergusson, Ferrie, Gould, Hartman, Lumsden, Mackenzie, Munro, Niles, Patrick, Southwick, and Wright.--(16.)

NAYS.

Messieurs Alleyn, Blanchet, Bourassa, Bowes, Brodeur, Cameron, Cartier, Casault, Cayley, Chabot, Church, Clarke, Cooke, Crawford, Daly, Charles Daoust, Darche, DeLong, Jean B.E. Dorion, Antoine A. Dorion, Felton, Forres, Thomas Fortier, Octave C. Fortier, Gill, Holton, Laporte, Lemieur, Macbeth, Attorney General Macdonald, Roderick McDonald, McCann, Meagher, Joseph T. Morrison, Parin, Robinson, Roblin, Solicitor General Ross, Sanborn, James Smith, Spence, Stevenson, Thibaudeau, and Turcotte.--(44.)

So it passed in the Negative.

Then the main Question being put;

MR. BROWN expressed the hope that the honorable member for Toronto would strike out from the bill those portions of it which recognized a Roman Catholic Diocese of Toronto. The honourable gentleman was a Canadian Wiseman, mapping out the country into Roman Catholic ecclesiastical divisions. Not only was this the first incorporation of a nunnery in Upper Canada, but it was the first time that the country was divided into Roman Catholic dioceses by a provincial statute.⁷

MR. CAMERON said that the Roman Catholic dioceses were recognized by act of Parliament so long as 1841, in the charter given to Regiopolis College, Kingston.⁸

(1075)

Ordered, That the Bill be now read the third time.

The Bill was accordingly read the third time.

The Honorable Mr. Cameron moved, seconded by Mr. Bowes, and the Question being put, That the Bill do pass, and the Title be, "An Act to incorporate the Sisters of St. Joseph for the Diocese of Toronto, in Upper Canada;" the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Alleyn, Blanchet, Bourassa, Bowes, Brodeur, Cameron, Cartier, Casault, Cayley, Chabot, Church, Clarke, Cooke, Crawford, Daly, Charles Daoust, Darche,

DeLong, Jean B.E. Dorion, Antoine A. Dorion, Felton, Ferres, Thomas Fortier, Octave C. Fortier, Gill, Holton, Laporte, Lemieux, Macbeth, Attorney General Macdonald, Roderick McDonald, McCann, Meagher, Joseph C. Morrison, Papin, Robinson, Roblin, Solicitor General Ross, Simbora, James Smith, Spence, Stevenson, Thibault, and Turcotte.--(44.)

NAYS.

Messieurs Biggar, Brown, Chisholm, Christie, Cook, Fergusson, Ferrie, Gould, Hartman, Lumsden, Mackenzie, Macro, Niles, Patrick, Southwick, and Wright.--(45.)

So it was resolved in the Affirmative.

Ordered, That the Honorable Mr. Cameron do carry the Bill to the Legislative Council, and desire their concurrence.

(1076)

The Order of the day for the third reading of the Bill to enable the Great Western Railway Company to construct a Branch Railroad to the Town of Brantford, and to increase its Capital Stock, and for other purposes, being read;

Mr. Joseph Curran Morrison moved, seconded by Mr. Ferrie, and the Question being proposed, That the Bill be now read the third time;

Mr. Chisholm moved in amendment to the Question, seconded by Mr. Gould, That all the words after "now" to the end of the Question be left out, in order to add instead thereof the words "re-committed to a Committee of the whole House, with instruction to add the following to the 2nd Clause thereof: 'and for the subscription of such additional Stock, the Directors shall cause books of subscription to be opened in the Cities of Hamilton and London, in Canada, and be kept open for the space of twenty days, and afterwards in such other places as they may from time to time appoint for receiving the subscription of persons willing to become subscribers to the said Stock, and for that purpose it shall be the duty of the Directors of the said Company, and they are hereby required to give public notice in one or more Newspapers published in the said Cities, as they may think proper, of the time and places at which such books shall be opened and ready for receiving subscriptions as aforesaid, the persons authorized by them to receive such subscriptions, and the Bank into which the ten per cent thereon is to be paid, and every person whose name shall be written in such books as a subscriber to the said Stock, and shall have paid previous to the closing of the said books, ten per cent on the amount of Stock so subscribed for to the credit of the said Company, shall thereby become a Member of the said Company, and shall have the same rights and privileges as such or any other Stockholder in the said Company; and provided, that if the total amount of subscriptions within the twenty days limited as aforesaid shall exceed the additional Capital hereby created, then and in such case the shares of each subscriber or subscribers above ten shares shall, as nearly as may be, be proportionably reduced by the Directors of the Company, or a majority of them, until the total number of such additional shares be brought down to sixty thousand;'"

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Biggar, Chisholm, Christie, DeLong, Gould, Mackenzie, and Wright.--(7.)

NAYS.

Messieurs Alleyne, Bellingham, Blanchet, Bowes, Brodeur, Cameron, Cartier, Cayley, Chabot, Chapais, Church, Clarke, Cooke, Cook, Crawford, Daly, Desaulniers,

Dufresne, Felton, Fergusson, Ferres, Ferrie, Foley, Thomas Fortier, Frazer, Gill, Hartman, Holton, Langton, Laporte, Lemieux, Lumsden, Attorney General Macdonald, Sir A.N. MacNab, McCann, Matheson, Meagher, Munro, Joseph C. Morrison, Niles, Patrick, Powell, Robinson, Roblin, Solicitor General Ross, Sanborn, Southwick, Spence, Stevenson, Turcotte, and Valois.--(51.)

So it passed in the Negative.

Notice being taken that MR. BROWN had not voted, the honorable member stated that he had business connection with the Great Western Railway Company, and wished to be excused from voting. (Hear, hear.)⁹

(1076)

And the Question being again proposed, That the Bill be now read the third time;

(1077)

Mr. Chisholm moved in amendment to the Question, seconded by Mr. Jobin, That all the words after "now" to the end of the Question be left out, in order to add instead thereof the words "re-committed to a Committee of the whole House, with an instruction to leave out all of the seventh Clause after the word 'Company' in the twenty-second line, which gives power to the Directors to vote by proxy in regulating the working of the Road and managing of affairs of the Company;"

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Aikins, Biggar, Blanchet, Cayley, Chisholm, Christie, Church, Cooke, Cook, Crysler, Charles Daoust, DeLong, Jean B.E. Dorion, Antoine A. Dorion, Gould, Hartman, Jobin, Laporte, Mackenzie, Sir A.N. MacNab, Matheson, Merritt, Munro, Niles, Papin, Patrick, Prévost, Spence, Valois, and Wright.--(30.)

NAYS.

Messieurs Alleyn, Bellingham, Bowes, Brodeur, Cameron, Cartier, Chabot, Chapais, Clarke, Crawford, Daly, Dufresne, Felton, Ferres, Ferrie, Foley, Thomas Fortier, Frazer, Gill, Holton, Langton, Lemieux, Lumsden, McCann, Joseph C. Morrison, Meagher, Poulin, Powell, Roblin, Solicitor General Ross, Sanborn, Solicitor General Smith, James Smith, Stevenson, and Turcotte.--(35.)

So it passed in the Negative.

And the Question being again proposed, That the Bill be now read the third time;

Mr. Chisholm moved in amendment to the Question, seconded by Mr. Jobin, That all the words after "now" to the end of the Question be left out, in order to add instead thereof the words "re-committed to a Committee of the whole House, with instructions to add the following proviso to the second Clause thereof: 'Provided always that the Provincial Guarantee to be extended to the Great Western Railway shall be and is hereby limited to one-half of the Capital Stock of the said Company held previously to the passing of this Act;' "

And the Question being put on the Amendment; the House divided:--And it passed in the Negative.

And the Question being again proposed, That the Bill be now read the third time;

Mr. Chisholm moved in amendment to the Question, seconded by Mr. Jobin, That all the words after "now" to the end of the Question be left out, in order to add instead thereof the words "re-committed to a Committee of the whole House, for the purpose of leaving out that portion of the Bill which authorizes the Directors to

issue the new shares created, or any portion thereof, with or under a guarantee, whereby the holders thereof shall be guaranteed and receive out of the general revenues of the Company by way of preference dividend and in priority of the ordinary dividends of the Company, thereby prejudicing the interests and right of the original Stockholders of the Company, and placing a dangerous power in the hands of the Directors in dealing with private interests:

"To amend the 12th Clause, so as to prohibit the Directors from making any By-Law which may inflict fines and forfeitures on others than the Officers or

(1078)

Employés of the Company, and for recovering, levying, and collecting such fines and forfeitures by summary proceedings, thereby conferring judicial powers on the Directors of the said Company:

"And for the purpose of amending the 20th Clause, which allows the Directors to call Special General Meetings of the Stockholders whensoever and so often as the interest of the Company shall, in their opinion, require, by leaving out that part thereof which provides that no business other than that for which such meeting shall have been called, and which shall have been specified or mentioned in the notice calling such meeting, which restricts the action of the Stockholders when so called together;"

And the Question being put on the Amendment; the House divided:--And it passed in the Negative.

And the Question being again proposed, That the Bill be now read the third time;

Mr. Chisholm moved in amendment to the Question, seconded by Mr. Holton, that all the words after "now" to the end of the Question be left out, in order to add instead thereof the words "re-committed to a Committee of the whole House, for the purpose of making the following amendment: Clause 4, line 47. Leave out the words 'to submit to the Shareholders then present an exact and particular statement of the affairs,' and insert the words 'to cause to be mailed or sent to all Stockholders residing in Canada or the United States, one week before the day of meeting so called, a printed copy of the Statement of the Company's affairs which is to be submitted to the Shareholders at the said meeting, which Statement shall be a correct and true statement of the affairs;' "

And the Question being put on the Amendment; the House divided:--And it passed in the Negative.

Then the main Question being put;

MR. MERRITT moved to insert a proviso declaring that the guarantee received for the work from the Province should not exceed in any case 3000L per mile.¹⁰

MR. CAMERON said that such a clause could not be inserted with any propriety. The company was entitled to certain rights under the guarantee act. These rights could not be interfered with, whether they enabled the company to claim more or less than 3000L per mile. But it was never contemplated that the company should have the guarantee on the double track, and this was expressly barred by the bill.¹¹

The motion on amendment was then lost, and the bill read a third time.¹²

(1078)

Ordered, That the Bill be now read the third time.

The Bill was accordingly read the third time.

On motion of Mr. Joseph Curran Morrison, seconded by Mr. Ferrie, an amendment was made to the Bill, by adding the following words at the end of Clause 25: "But

nevertheless it shall be the duty of the said Company in such case, from time to time, to indemnify all parties whose private rights shall hereafter be or may have been injured thereby (if any there be) such actual damage (if any) as they shall have sustained by reason of the erection and maintenance of such permanent bridge, to be recovered by action at law: And it shall also be in the option of the said Company at any time, if the Directors shall think fit, to construct, keep, and maintain a draw or swing in such bridge so as to admit the free passage up and down the said stream of such vessels and craft as may have been accustomed to navigate the same; and thenceforward and so long as the said Company shall keep up and maintain such draw or swing, they shall not be liable to any claim or demand for damages by reason of the erection and maintenance of such bridge across the said stream."

Resolved, That the Bill do pass, and the Title be, "An Act to enable the Great Western Railway Company to construct a Branch Railway to the Town of Brantford, and for other purposes therein mentioned."

Ordered, That Mr. Joseph Curran Morrison do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to establish and confirm the original Survey of the Concession lines in the Township of Niagara, was, according to Order, read the third time.

On motion of Mr. Langton, seconded by Mr. Clarke, an amendment was made to the Bill by leaving out in the 5th Clause all the words after "and shall be;" by leaving out all the words down to "Act" inclusive, in the 3rd line of the 4th Clause, and inserting "whenever any Land or Buildings shall be so taken as aforesaid;" and by

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adding the following Proviso at the end of the 4th Clause: "Provided always, that if any other Land shall have vested in any such person under the provisions of the third Section, the Arbitrators shall take into account the value of such Land, and shall deduct it from the amount at which they have valued the Land and Buildings taken for the purposes aforesaid."

Resolved, That the Bill do pass, and the Title be, "An Act to confirm and establish a certain portion of the original Survey of the Township of Niagara."

Ordered, That Mr. Joseph Curran Morrison do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to confirm the City of Toronto in the possession of the Peninsula and Marsh now held by it under licence, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Bowes do carry the Bill to the Legislative Council, and desire their concurrence.

The Order of the day for the third reading of the Bill to incorporate the Benevolent Society of Notre Dame de Bonsecours, of Montreal, being read;

Mr. Antoine Aimé Dorion moved, seconded by Mr. Papin, and the Question being proposed, That the Bill be now read the third time;

Mr. Brown moved in amendment to the Question, seconded by Mr. Hartman, That all the words after "now" to the end of the Question be left out, in order to add the words "re-committed to a Committee of the whole House, to provide that the said Corporation shall hold real estate for the use and occupation of the said Corporation only, and not for endowment" instead thereof;

MR. BROWN ... said the real estate clause had been struck out by the Private bills committee, but was re-inserted last night in committee of the whole.¹³

(1079)

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Biggar, Brown, Chisholm, Christie, Cook, Darche, DeLong, Jean B.E. Dorion, Antoine A. Dorion, Fergusson, Ferres, Ferrie, Gould, Hartman, Holton, Langton, Lumsden, Mackenzie, Merritt, Munro, Niles, Papin, Patrick, Scatcherd, and Wright.--(25.)

NAYS.

Messieurs Alleyn, Blanchet, Bourassa, Bowes, Brodeur, Bureau, Burton, Cartier, Casault, Cauchon, Cayley, Chabot, Chapais, Chauveau, Church, Crawford, Dionne, Dufresne, Thomas Fournier, Octave C. Fortier, Fournier, Gill, John, Laporte, Larwill, Sir A.N. MacNab, McCann, Meagher, Murney, Poulin, Pouliot, Robinson, Solicitor General Ross, James Smith, Southwick, and Spence.--(36.)

So it passed in the Negative.

Then the main Question being put;

Ordered, That the Bill be now read the third time.

The Bill was accordingly read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to incorporate the Benevolent Society of Notre Dame de Bonsecours, at Montreal."

(1080)

Ordered, That Mr. Antoine Aimé Dorion do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to amend the provisions of the several Acts for the Incorporation of the City of Montreal, was, according to Order, read the third time.

Mr. Antoine Aimé Dorion moved, seconded by Mr. Papin, and the Question being put, That the Bill do pass, and the Title be, "An Act to amend the provisions of the several Acts for the Incorporation of the City of Montreal;" the House divided:--And it was resolved in the Affirmative.

Ordered, That Mr. Antoine Aimé Dorion do carry the Bill to the Legislative Council, and desire their concurrence.

The Order of the day for the third reading of the Bill to incorporate the St. Patrick's Orphan Asylum of Montreal, being read;

Mr. Holton moved, seconded by Mr. Antoine Aimé Dorion, and the Question being proposed, That the Bill be now read the third time;

Mr. Brown moved in amendment to the Question, seconded by Mr. Hartman, That all the words after "now" to the end of the Question be left out, in order to add instead thereof the words "recommitted to a Committee of the whole House, to leave out the Clause authorizing the said Corporation to hold real estate to the value of One thousand five hundred pounds per annum, and to provide that it shall hold real estate for the use and occupation of the Corporation only, and not for endowment;"

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Aikins, Biggar, Brown, Cameron, Chisholm, Christie, Church, Clarke, Cook, Crawford, Daly, Darche, DeLong, Jean B.E. Dorion, Antoine A. Dorion,

Fergusson, Ferres, Ferrie, Gould, Hartman, Holton, Lumsden, Mackenzie, Matheson, Munro, Niles, Papin, Patrick, Scatcherd, Shaw, Terrill, and Wright.--(32.)

NAYS.

Messieurs Alleyn, Blanchet, Bourassa, Bowes, Brodeur, Bureau, Burton, Cartier, Casault, Cauchon, Cayley, Chabot, Chapais, Crysler, Dionne, Dufresne, Thomas Fortier, Octave C. Fortier, Fournier, Gill, Jobin, Laporte, Larwill, Macbeth, Sir A.N. MacNab, McCann, Meagher, Murney, Poulin, Pouliot, Robinson, Solicitor General Ross, James Smith, Spence, and Stevenson.--(35.)

So it passed in the Negative.

Resolved, That the Bill do pass, and the Title be, "An Act to incorporate the Director and Trustees of the Montreal St. Patrick's Orphan Asylum."

Ordered, That Mr. Holton do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to incorporate Les Soeurs de la Présentation, was, according to Order, read the third time.

Resolved, That the Bill do pass.

(1081)

Ordered, That Mr. Poulin do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to incorporate the Abbotsford Academy, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Poulin do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to authorize the Municipal Council of the County of Welland to raise means to liquidate certain debts and claims against the said County, and for other purposes, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Frazer do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to incorporate the Asylum of the Good Shepherd, of Quebec, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Chabot do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to incorporate the Victoria Hospital at Quebec, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to incorporate the Victoria Hospital."

Ordered, That Mr. Alleyn do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to amend the Act incorporating the Metropolitan Gas and Water Company in the City of Toronto, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Joseph Curran Morrison do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to amend the Act for the Incorporation of the Provincial Insurance Company of Toronto, was, according to Order, read the third time.

On motion of Mr. Joseph Curran Morrison, seconded by Mr. Crawford, an amendment was made to the Bill by leaving out all the words after "hereafter allowed" in the 4th Clause, and inserting "any such sum to the President of the said Corporation as shall be voted by a majority of the Stockholders at their annual meeting."

Resolved, That the Bill do pass.

Ordered, That Mr. Joseph Curran Morrison do carry the Bill to the Legislative Council, and desire their concurrence.

The Order of the day for the third reading of the Bill to amend the Charter of the Woodstock and Lake Erie Railway and Harbour Company, being read;

Mr. Joseph Curran Morrison moved, seconded by Mr. Crawford, and the Question being proposed, That the Bill be now read the third time;

The Honorable Mr. Merritt moved in amendment to the Question, seconded by Mr. Chisholm, That all the words after "now" to the end of the Question be left out, in order to add instead thereof the words "re-committed to a Committee of the whole House, for the purpose of adding the following Proviso at the end of the 1st Clause:

(1082)

"Provided always, that the said Company shall charge no higher rate per mile, for each passenger over that part of the line between the Niagara and Detroit Rivers, than may be charged by the Amherstburg and St. Thomas Railway Company over the remaining portion of the same line;"

And the Question being put on the Amendment; the House divided:--And it passed in the Negative.

And the Question being again proposed, That the Bill be now read the third time;

Mr. Brown moved in amendment to the Question, seconded by Mr. Christie, That all the words after "now" to the end of the Question be left out, in order to add the words "re-committed to a Committee of the whole House to leave out that Clause of the Bill which repeals the Clause of the original Charter prohibiting the running of Trains on Sundays" instead thereof;

And the Question being put on the Amendment; the House divided:--And it passed in the Negative.

Then the main Question being put;

Ordered, That the Bill be now read the third time.

The Bill was accordingly read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Joseph Curran Morrison do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to incorporate the Amherstburg and St. Thomas Railway Company, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to incorporate the Amherstburg and St. Thomas Railway Company."

Ordered, That Mr. Rankin do carry the Bill to the Legislative Council, and desire their concurrence.

The Order of the day for the third reading of the Bill to incorporate the St. Lawrence Assurance Company, being read;

Ordered, That the Bill be read the third time on Monday next.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

Mr. Speaker,

The Legislative Council have passed the following Bills, without Amendment; viz:--

Bill, intituled, "An Act to amend the Acts relating to Land Surveyors:"

Bill, intituled, "An Act further to amend the Act of Incorporation of the British North American Electric Telegraph Association to enable the said Association to construct Branch Lines, and subscribe for Stock in other Electric Telegraph Companies:"

Bill, intituled, "An Act to amend the Act for the encouragement of Building Societies in Lower Canada:"

Bill, intituled, "An Act further to amend an Act, intituled, "An Act for the encouragement and relief of certain persons therein named and others, and authorizing them to associate themselves by the name of the Quebec Benevolent Society under certain restrictions, rules and regulations therein mentioned:"

Bill, intituled, "An Act to incorporate the Molsons Bank:"

Bill, intituled, "An Act to incorporate certain persons under the name and style of the Stratford and Huron Railway Company:" And also,

The Legislative Council have agreed to the Amendments made by this House to the

(1083)

Bill, intituled, "An Act to prohibit Interments in certain Burial Grounds in the City of Quebec," without any Amendment: And also,

The Legislative Council have passed the Bill, intituled, "An Act to enable the Trustees of the Toronto General Burying Ground to close the same, to sell a portion thereof, and to acquire other ground for the purposes of the Trust," with several Amendments, to which they desire the concurrence of this House: And also,

The Legislative Council have passed the Bill, intituled, "An Act for the relief of certain Practitioners of Medicine and Surgery in Lower Canada," with several Amendments, to which they desire the concurrence of this House: And also,

The Legislative Council do give leave to the Honorable Etienne Pascal Taché, the Honorable Narcisse F. Belleau, and the Honorable Joseph Légaré, three of their Members, to appear and give evidence before the Commissioner appointed for the examination of Witnesses by the Select Committee to which is referred the Petition of George Okill Stuart, of the City of Quebec, Esquire, and others, complaining of the undue Election and Return of Jean Blanchet, Esquire, Charles Alleyn, Esquire, and the Honorable Jean Chabot, as Members to represent the City of Quebec.

And then he withdrew.

The House went again into Committee of the Whole on the Bill to amend the Imperial Act reuniting the Provinces of Upper and Lower Canada¹⁴, pour rendre le conseil législatif électif¹⁵.

MR. COM. CR. LANDS CAUCHON moved that the blanks relating to the period of the first election of councillors, be filled up in the way which had been suggested on the previous occasion that the Bill was in Committee, so that the writs should be issued on the 1st September next following the day on which the Act should receive the Royal assent, and be returnable the first Tuesday of November following.¹⁶

((The motion was)) agreed to.¹⁷

MR. COM. CR. LANDS CAUCHON moved the adoption of the 32nd clause, which did away with the property qualification of the members of the Legislative Assembly.¹⁸

MR. GOULD opposed the motion. He could not understand how such a clause could have found its way into a Bill which provided a property qualification of 1000L for members of the Upper House. The present property qualification for members of the Lower House, he believed was 500L, and no inconvenience had ever been found to result from it.¹⁹ Il croit que puisque les membres du conseil législatif sont obligés d'avoir une qualification foncière, il faut aussi la conserver pour les membres de la chambre.²⁰ He moved that the clause be struck out.²¹

MR. A. DORION (Montreal) said that, if the hon. member wished the members of both Houses to be put on a footing of equality in this respect, a motion he intended to make, when the question of concurrence came up, would perhaps meet his views, that the property qualification of members of the Legislative Council be struck out. (Hear, hear.)²²

DR. CHURCH was in favour of retaining the property qualification, otherwise a man who was not a voter at all, might be elected to Parliament.²³

MR. MACKENZIE thought there should be no restrictions placed on the choice of the electors. Let the qualification, whether of property, age, or intelligence, be prescribed for the electors, and then let them elect whatever individual would best represent their views and interests. This was the case in Scotland. There was a property qualification for electors, but none for those whom they should choose as their representatives. When Macaulay was elected by the people of Edinburgh, he did not require to prove that he was possessed of property to the extent of a York expence. His whole qualification was that the people of Edinburgh believed he would faithfully represent them in Parliament. Supposing two men offered themselves to represent quebec, one owning 750L of property, the other 1,050L, if the electors thought the man with the 750L was best qualified to express their views in the Legislative Council, why should they be prevented from electing him?²⁴

MR. CAMERON hoped the clause would be struck out, so that the property qualification might remain for members of both Houses. He believed the people of Upper Canada desired the present system to be maintained, for they knew that their representatives would be more careful in dealing with property, when they had property of their own at stake.²⁵

MR. MURNEY was in favour of the property qualification. A person representing a body, whose property he assisted in taxing, should be possessed of property himself. The people would feel safer in the hands of such representatives, knowing that they would not tax the property of others, unless they were willing that their own should be taxed.²⁶

MR. ROBLIN also spoke in favour of the property qualification.²⁷

MR. LANGTON thought it of very little importance, in one respect, whether the clause remained or was rejected, as there were very few who would be likely to obtain the suffrages of a constituency, who were not possessed of the property qualification now required. Almost every body in this country owned land, the case being very different from that of England, where the land was held by a few. It was seldom that a man had a chance of being elected who had not enough property to qualify him, and, if he had not, nothing was easier than to get up a property qualification, by some one making land over to him for the purpose. Practically then he did not think the question of much importance. But he held that the true

principle was that laid down by the member for Haldimand, that the only qualification of a member of Parliament should be the confidence of those who thought fit to select him. He did not come here to represent his thousand pounds of property, but the feelings of his constituents. He was in favour therefore of retaining the clause.²⁸

MR. POWELL was opposed to requiring any property qualification, and considered that the course taken on this question by such Reformers as the member for Ontario (Mr. Gould) showed that they had not yet learned the alphabet of Reform principles.²⁹ Il est surpis de voir qu'un réformiste soit opposé à cette clause, qui tend à donner au peuple la plus grande liberté dans le choix qu'il peut faire de ses représentants.³⁰

MR. BIGGAR was in favour of a property qualification, and hoped the clause would be struck out. If it was retained, the bill could only be made consistent with itself, by adding another clause to introduce the principle of universal suffrage.³¹

MR. MERRITT thought the argument of the member for Brant (Mr. Biggar) the best that had yet been advanced. To do away with the property qualification would lead to universal suffrage, and as he was not yet prepared for that, he was in favour of striking out the clause.³²

MR. O. FORTIER (Bellechasse) and MR. J. ROSS (Northumberland) also spoke in favour of retaining the property qualification.³³

MR. AT. GEN. J.A. MACDONALD.--It is a matter of regret to myself and my colleagues, that we do not find the House prepared to go so far with us in Liberalism as to adopt this clause. (Laughter.) In our attempts to be Liberal, we find ourselves opposed both by Conservatives and Reformers. (No! no!) The member for Lincoln (Mr. Merritt) the head of the old Reform party, the Member for Brant, (Mr. Biggar,) the member for Ontario, (Mr. Gould)--of all the Reformers who have spoken, none but the member for Haldimand are willing to support the Government in our Liberal views. It is a great disappointment to the Government to find that the House are not prepared to go with them in this. (Laughter.)³⁴

MR. HOLTON.--We are prepared.³⁵

MR. AT. GEN. J.A. MACDONALD.--We leave the question in the hands of the House; and if the House thinks that we are going a step too far and too fast in the path of Reform, the Government will submit, as it is their bounden duty. But we will have the satisfaction, at least, of knowing that we have held out the index-finger in the right direction. (Laughter.)³⁶

MR. MURNEY.--This is the coolest declaration I ever heard proceed from any man in public life. (Hear, hear.) To hear a Tory Attorney-General complain that the House are not prepared to follow himself and the member for Haldimand in carrying out radical principles, is something astonishing. Why does not the hon. gentleman adhere to the principles he has advocated all his life before, instead of bowing to the member for Haldimand, and saying, I have now come round to your way of thinking?³⁷

MR. AT. GEN. J.A. MACDONALD.--The hon. gentleman mistakes what I said. I am extremely gratified to see the re-action in this House in favor of Tory principles.... Proceeding to leave the House as he finished speaking,³⁸

MR. HOLTON said he hoped the hon. gentleman would stay to give his vote on the question, which was about to be put. (Hear, hear, and laughter.)³⁹ ((Il)) est en faveur de la clause telle qu'elle est dans le bill, et dit que si le gouvernement avait réellement eu l'intention de la faire adopter, elle le serait, et l'hon. procureur-général ne dirait pas indirectement à ses amis de la faire retrancher.⁴⁰

MR. POULIOT se déclare en faveur de l'amendement parce qu'il croit nécessaire que les membres de l'assemblée législative aient une qualification foncière, de même que les conseillers législatifs, les juges de paix et les officiers municipaux. Il est aussi opposé à ce que la qualification foncière soit abolie, parce que cela conduirait au suffrage universel et à toutes les institutions démocratiques, et il regretterait beaucoup de voir prévaloir un tel état de choses.⁴¹

MR. PAPIN dit qu'il est surpris de voir le représentant de Dorchester (M. Pouliot), le maire de son comté, s'élever contre l'abolition de la qualification foncière pour les membres de la chambre, et de l'entendre dire que cette qualification est absolument indispensable pour avoir des hommes capables de faire des législateurs,--lui qui a présenté un bill durant la présente session pour réduire considérablement la qualification requise pour les juges de paix. Il faut que dans l'un ou l'autre cas il ne soit pas fidèle à ses principes, ou il les a mis de côté en présentant son bill, ou il les met de côté aujourd'hui. Il (M. Papin) doit dire que s'il avait été l'un des réformistes de l'autre côté de la chambre, il aurait été bien peu flatté du compliment que vient de leur faire l'hon. procureur-général Ouest (M. Macdonald), lorsqu'il a dit que le gouvernement consentait à retrancher cette clause, puisque c'était le désir de ses amis. Il y a longtemps qu'on dit que ces prétendus réformistes ne sont que des tories et ils viennent de prouver une fois de plus qu'ils sont plus tories que les ministres qui ont toujours été tories, en refusant une clause libérale et réformatrice présentée par ces ministres tories. Ceux qui veulent retrancher cette clause sont certainement plus tories que l'hon. premier, et les hon. solliciteur et procureur généraux, et ce n'est pas peu dire. Mais avant de croire tout à fait que le gouvernement est réformiste, il voudrait savoir s'il est sincère dans la proposition qu'il fait dans ce bill de retrancher la qualification foncière pour les membres de la chambre. Il va en avoir la preuve bientôt, car si le gouvernement est sincère, il ne permettra pas que cette clause soit retranchée, et il est convaincu qu'il pourra la faire adopter s'il le veut, surtout lorsqu'il est supporté en cela par tout le côté gauche de la chambre. Si le gouvernement est sincère, il trouvera moyen de faire voter ses amis en faveur de la clause, car il les a déjà fait voter en faveur de choses qui leur répugnaient beaucoup plus; et les ministres, en votant eux-mêmes pour la clause sont certains de la faire adopter. Si au contraire ils permettent que cette clause soit retranchée, nous aurons la preuve que ce n'est qu'une farce qu'ils ont voulu faire en la mettant dans ce bill, dans le but seulement de pouvoir dire qu'ils sont les libéraux et les réformistes, et que les réformistes sont les tories.

Quant au mérite de la clause, il lui semble que le but qu'on doit avoir en exigeant une qualification des représentants, est de s'assurer les services d'hommes capables de remplir les devoirs qui leur sont confiés et non pas seulement d'avoir des hommes ayant un certain montant de propriétés. Eh bien! il demande si la qualification foncière ajoute quelque chose aux capacités, à l'intégrité, aux connaissances d'un homme. Ne vaut-il pas mieux avoir pour représentant un homme pauvre, mais instruit, plutôt qu'un riche ignorant; et la quantité de propriétés que peut avoir un homme le rend-il supérieur à son voisin qui en a moins que lui? Cette prétention serait absurde, et c'est pourtant celle que l'on consacre en exigeant une

qualification foncière des représentants du peuple. On dit que puisqu'on exige une qualification foncière pour les conseillers législatifs, il faut aussi en exiger une pour les membres de la chambre d'assemblée. Ce raisonnement n'est que spécieux, car les intérêts de la propriété se trouveront suffisamment sauvegardés par la qualification exigée des conseillers législatifs, pour permettre en toute sûreté d'abolir celle des membres de la chambre. Le gouvernement déclare, en présentant son bill, que la qualification des conseillers était portée à un chiffre aussi élevé, parce que celle des membres de la chambre basse allait être abolie; acceptant cette raison comme vraie, il voudrait savoir si le gouvernement, dans le cas où la clause serait retranchée, réduira cette qualification, car il n'y aura plus de nécessité qu'elle soit aussi élevée, les intérêts de la propriété, comme on appelle cela, se trouvant protégés comme auparavant dans la chambre basse. Ceci fournira encore une preuve de la sincérité du gouvernement. Pour sa part, il voudrait qu'aucune qualification foncière ne fût exigée, ni pour les membres de la chambre, ni pour les conseillers législatifs. Dans un pays comme celui-ci, où un homme peut se qualifier d'une manière fraudaleuse (*sic*), au moyen de la propriété de son voisin, la seule qualification à exiger devrait être la confiance des électeurs et les capacités à remplir les devoirs de mandataires du peuple. Il est absurde de vouloir forcer le peuple à choisir un homme ignorant ou incapable, mais qui a une propriété, tandis qu'il aimerait mieux être représenté par un autre homme honnête et capable, mais qui a le malheur d'être pauvre. C'est une insulte au peuple de limiter son choix et de lui défendre d'élire un homme qui est qualifié sous tous les rapports à le représenter, moins sous celui de la propriété.

Aujourd'hui, chacun sait que la loi peut être éludée aussi facilement que si elle n'existait pas. Pourquoi donc conserver une loi qui ne produit aucun bon résultat? Voici le résultat pratique qu'on tirera de cette loi. Un homme consciencieux, qui ne voudra pas éluder la loi, qui n'aura que 400L en propriétés, et qui sera qualifié sous tous les autres rapports, ne se présentera pas parce qu'il sera trop scrupuleux pour dire qu'il a 500L de propriétés quand il ne les a pas,--tandis qu'un autre qui sera moins honnête et qui voudra se faire élire, estimera à 500L une propriété qui n'en vaudra que deux ou trois cents.

On voit donc bien que cette loi ne sauvegarde aucun intérêt, mais qu'elle est faite dans l'intérêt des hommes peu scrupuleux plutôt que dans l'intérêt du peuple et des honnêtes gens.

Il termine en disant qu'il est bien aise que l'hon. procureur-général ait mis la question sur son véritable terrain, et cela va faire voir quels sont les véritables réformistes et les vrais tories. Si la majorité fait retrancher cette clause, ce sera la preuve qu'elle est torie, et si l'administration est sérieuse en la proposant, elle la fera adopter; mais si elle permet qu'elle soit retranchée, cela nous prouvera qu'elle n'a voulu faire qu'une farce et qu'elle n'a jamais eu l'intention d'abolir la qualification foncière des membres de la chambre.⁴²

MR. CHABOT se déclare en faveur de l'abolition de la qualification foncière des membres de la chambre, et dit qu'il ne comprend pas comment ceux qui se prétendent réformistes peuvent s'opposer à cette clause. Puisque le ministère propose lui-même cette réforme, il ne faut pas la refuser, car on ne trouvera jamais ce ministère trop réformiste, et il n'y reviendra peut-être pas. On dit que puisque la qualification est exigée des conseillers législatifs, il faut qu'elle le soit aussi des représentants; mais il pense que ce n'est pas un bon raisonnement. Il voudrait qu'il n'y eût de qualification foncière ni pour les uns ni pour les autres; et le moyen d'en venir là, c'est de commencer par abolir celle des membres de la chambre basse, et ensuite on abolira celle des conseillers quand on le pourra.⁴³

MR. TURCOTTE exprime la même opinion et dit que les juges de paix, dont a parlé le maire du comté de Dorchester (M. Pouliot), ne sont pas dans la même position que les membres de la chambre. Il est bon que les juges de paix aient une qualification foncière, parce qu'ils ne sont pas choisis par le peuple, mais imposés au peuple par le gouvernement. Quand ils seront électifs par le peuple, alors on pourra abolir leur qualification foncière. Il est en faveur d'une qualification foncière pour les conseillers législatifs, parce que c'est un corps conservateur; mais il n'en veut pas pour les membres de la chambre basse. Si le gouvernement désirait sincèrement abolir la qualification foncière des membres de la chambre basse, il pourrait le faire; mais il fait semblant de se faire forcer la main par ses amis pour se donner le mérite d'avoir proposé cette réforme sans éprouver la contrariété de la voir adopter. Le gouvernement se donne des airs de réformiste, mais le fait est qu'il est aussi torie et aussi conservateur que jamais.⁴⁴

MR. FERRES ((spoke)) in favor of the property qualification⁴⁵.

MR. A. DORION (de Montréal) ... se prononce en faveur de la clause⁴⁶.

A vote was taken on Mr. Gould's motion to strike out the clause.⁴⁷

MR. COM. CR. LANDS CAUCHON, MR. INSP. GEN. CAYLEY et MR. SOL. GEN. D. ROSS ne votant pas⁴⁸,

MR. AT. GEN. J.A. MACDONALD, MR. SOL. GEN. H. SMITH and MR. POST. GEN. SPENCE, crossed the floor, and voted with the nays, the no property-qualification party.⁴⁹

The clause was struck out, by a majority of 49 to 27.⁵⁰

Upon the motion to read the schedules of the divisions of the electoral divisions proposed for the new Council,⁵¹

A good deal of discussion took place on the arrangement, distribution, and names of the new electoral districts.⁵²

MR. LARWILL moved that the western district, out of respect to the large number of coloured people whom it contained, should be called the Ebony district.⁵³

The motion not finding a seconder, fell to the ground.⁵⁴

MR. COM. CR. LANDS CAUCHON then moved that, out of respect to the Emperor and Empress of the French, who had recently received so warm a reception in London, the names of the two districts should be Napoleon and Eugenie, instead of Wellington and Victoria, as in the schedule.⁵⁵

MR. BROWN said the associations connected with the way in which Louis Napoleon had come to the throne, were such, that some years must elapse before he, for one, would like to see his name attached to any district of Canada. (Hear, hear.) It would take ten or twenty years of liberal conduct to wipe away from men's minds those associations. (Hear, hear.)⁵⁶

MR. COM. CR. LANDS CAUCHON withdrew his motion ... as this appeared to be the general feeling of the House, besides that it was particularly mal-apropos to erase Victoria and Wellington to find room for Eugenie and Napoleon⁵⁷.

MR. FERRES complained that the divisions were so contrived as to be exceedingly unjust to the inhabitants of Lower Canada of British origin. From the census it appeared that this part of the population formed one-fourth of the whole population of Lower Canada. Yet the bill had so arranged the electoral divisions that their votes would be entirely over-ridden in all but three out of the twenty-four electoral divisions, so that they would have but an eighth of the representation in that House, though their numbers entitled them to one-fourth. It unfortunately happened that this part of the population was dispersed among the rest in such a manner as to make their votes comparatively unavailing. It might be said, indeed, that they exercised no influence upon the election of the members within the districts where they resided; but it was plain that this influence did not and could not make their ideas prevail according to the political weight and importance which they possessed in Lower Canada.⁵⁸

MR. COM. CR. LANDS CAUCHON believed that there would be four instead of three constituencies in the hand of the British part of the population, viz:--Bedford, Wellington, Inkermann, and Victoria; and they would besides exercise great influence in De Lonimier (*sic*) and Kennebec. It must also be remembered that the French Canadians had never been much inclined to make distinctions of origin, so that Beauce, Chicoutimi, Chateauguay, and Megantic, chiefly French Canadian Counties, were represented by gentlemen of British origin, while Montreal had two members of that origin, and Quebec one. He did not see how it was possible to overcome this difficulty of races. To adopt the views of Mr. Ferres the seventy thousand French Canadians in Upper Canada ought to have a representative or two of their own.⁵⁹ Il pense donc qu'il vaut mieux laisser la cédule telle qu'elle est.⁶⁰

MR. SANBORN reminded Mr. Cauchon that he had not always entertained these ideas about origin, as in a correspondence with Mr. Hincks, he had once contended that the French Canadian interest was not sufficiently represented in the ministry. For his own part, however, he did not make this a question of races, and the question of view had not been discussed by the member for Montmorenci. What he complained of was that the Eastern Townships were not sufficiently represented according to their area, which was not yet filled up but was being rapidly occupied. This part of the country was already to a great extent settled by French Canadians, and it would be impossible, even if he desired to do so, to make this question a question of races. What he desired was a fair representation for his part of the country irrespective of races.⁶¹

MR. TERRILL ... ((also)) maintained that the English population of Lower Canada had not received their fair share of representation, in the appointment of the electoral divisions.⁶²

MR. HOLTON considered the whole question was between passing the bill and not passing it. He was for throwing all the responsibility of the details on the Ministry.⁶³

The Lower Canadian schedule was then carried⁶⁴ as framed by the Government.⁶⁵

On the Upper Canada schedule, another lengthened discussion took place⁶⁶.

MR. LANGTON ((moved)) to re-arrange the districts on Lake Ontario, according to a scheme, which commended itself to all of the representatives of that portion of

the country present in the House. One feature of this proposed arrangement was to make the city of Toronto an electoral district by itself, instead of having the township of York attached to it.⁶⁷

This was supported strongly by MR. CAMERON, who said that Toronto alone, with a population now of 50,000, equal to that of the most extensive of the other electoral divisions, was entitled, without any other district joined to it to a representative in the Upper House.⁶⁸

It was replied, on behalf of the Government, that they had proceeded throughout on the basis of the last census, and that at so late a period of the session, there was not time to make a new arrangement of the electoral divisions.⁶⁹

MR. FOLEY did not think that, because a certain number of members in one part of the country agreed in an arrangement that suited them, that all the divisions of the country ought to be changed. For his own part, though one of the most consistent opponents of the Government, he believed that they had arranged the division upon the whole in the best possible way, and that without regard to their political interest. He thought, however, that if the Government had been sincere in desiring to pass this law, they would have done so before.⁷⁰

After some further discussion, Mr. Langton's motion was rejected.⁷¹

The bill was finally passed through committee, and reported with the amendments which had been made on it in its progress.⁷²

(1083)

*The House, according to Order, again resolved itself into a Committee on the Bill to amend the Imperial Act re-uniting the Provinces of Upper and Lower Canada; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Casault reported, That the Committee had gone through the Bill, and made amendments thereunto.*⁷³

Ordered, That the Report be now received.

Mr. Casault reported the Bill accordingly; and the amendments were read.

The Honorable Mr. Cauchon moved, seconded by the Honorable Mr. Lemieux, and the Question being proposed, That the amendments be now read a second time;

Mr. Antoine Aimé Dorion moved in amendment to the Question, seconded by Mr. Papin, That all the words after "the" to the end of the Question be left out, in order to add instead thereof the words "Bill be re-committed to a Committee of the whole House, with instructions to amend the same, by adding the following Clause: 'From and after the passing of this Act, the twenty-eighth and twenty-ninth Sections of the Imperial Act of the third and fourth Victoria, chapter thirty-five, shall be repealed in so far as they relate to the property qualification of Members of the Legislative Assembly;' "

MR. A. DORION (de Montréal) ... dit que cette clause est la même que celle qui se trouvait dans le bill tel que présenté par le gouvernement, et que la chambre va être mis(e) à même de juger de sa sincérité par le vote.⁷⁴

(1083)

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Aikins, Alleyn, Bourassa, Brown, Bureau, Chauveau, Christie, Charles Daoust, Darche, Desaulniers, Jean B.E. Dorion, Antoine A. Dorion, Ferrie, Foley, Fournier, Hartman, Hollon, Huot, Jobin, Langton, Mackenzie, Papin, Powell, Prévost, Rolph, Sanborn, Turcotte, Valois, and Wright.--(29.)

(1083-1084)

NAYS.

Messieurs Biggar, Bowes, Brodeur, Burton, Cameron, Cartier, Casault, Cauchon, Cayley, Chapais, Chisholm, Clarke, Cooke, Cook, Crysler, Daly, Jean B. Daoust, Delong, Dionne, Attorney General Drummond, Dufresne, Ferres, Thomas Fortier, Octave C. Fortier, Gill, Gould, Laporte, Larwill, Lemieux, Lumsden, Macbeth, Attorney General Macdonald, Sir A.N. MacNab, McCann, Matheson, Meagher, Munro, Murney, Niles, Patrick, Poulin, Roblin, James Ross, Shaw, Solicitor General Smith, Southwick, Spence, Stevenson, Terrill, and Thibaudeau.--(50.)

So it passed in the Negative.

(1084)

And the Question being again proposed, That the amendments be now read a second time;

Mr. Antoine Aimé Dorion moved in amendment to the Question, seconded by Mr. Papin, That all the words after "the" to the end of the Question be left out, in order to add instead thereof the words "Bill be re-committed to a Committee of the whole House, with instructions to amend the same, so as to provide that the present Members of the Legislative Council shall cease to form part of the said Council, so soon as this Bill shall have been assented to;"

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Aikins, Bourassa, Brown, Bureau, Christie, Charles Daoust, Darche, Jean B.E. Dorion, Antoine A. Dorion, Foley, Hartman, Hollon, Huot, Jobin, Mackenzie, Munro, Murney, Papin, Prévost, Rolph, Valois, and Wright.--(22.)

NAYS.

Messieurs Alleyn, Bowes, Brodeur, Burton, Cameron, Cartier, Casault, Cauchon, Cayley, Chapais, Chauveau, Chisholm, Clarke, Cook, Crysler, Daly, Jean B. Daoust, Delong, Desaulniers, Dionne, Attorney General Drummond, Dufresne, Ferres, Ferrie, Thomas Fortier, Octave C. Fortier, Fournier, Gill, Gould, Langton, Laporte, Larwill, Lemieux, Lumsden, Macbeth, Attorney General Macdonald, Sir A.N. MacNab, McCann, Matheson, Meagher, Niles, Patrick, Poulin, Powell, Roblin, James Ross, Sanborn, Shaw, Solicitor General Smith, James Smith, Southwick, Spence, Stevenson, Terrill, Thibaudeau, and Turcotte.--(50.)

So it passed in the Negative.

And the Question being again proposed, That the amendments be now read a second time;

Mr. Antoine Aimé Dorion moved in amendment to the Question, seconded by Mr. Papin, That all the words after "the" to the end of the Question be left out, in order to add instead thereof the words "Bill be now re-committed to a Committee of the whole House, with instructions to amend the same, so as to limit the period of service of the Legislative Councillors to four years, and that of Members of this House to two years, and to provide that one half of the number of the said Councillors shall be elected every two years;"

(1085)

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Aikins, Bourassa, Brown, Bureau, Christie, Charles Daoust, Darache, Jean B.E. Dorion, Antoine A. Dorion, Foley, Hartman, Holton, Huot, Jobin, Mackenzie, Munro, Papin, Prévost, Rolph, Valois, and Wright.--(21.)

NAYS.

Messieurs Alleyn, Bowes, Brodeur, Burton, Cameron, Cartier, Casault, Cauchon, Cayley, Chapais, Chauveau, Chisholm, Clarke, Cook, Crysler, Daly, Jean B. Daoust, Delong, Desaulniers, Dionne, Attorney General Drummond, Dufresne, Ferres, Ferrie, Thomas Fortier, Octave C. Fortier, Fournier, Gill, Gould, Langton, Laporte, Larwill, Lemieux, Lumsden, Macbeth, Attorney General Macdonald, Sir A.N. MacNab, McCann, Matheson, Meagher, Mamey, Niles, Patrick, Poulin, Powell, Roblin, James Ross, Sanborn, Shaw, Solicitor General Smith, James Smith, Southwick, Spence, Stevenson, Terrill, Thibaudeau, and Turcotte.--(57.)

So it passed in the Negative.

And the Question being again proposed, That the amendments be now read a second time;

Mr. Antoine Aimé Dorion moved in amendment to the Question, seconded by Mr. Papin, That all the words after "the" to the end of the Question be left out, in order to add instead thereof the words "Bill be re-committed to a Committee of the whole House, with instructions to amend the same, so as to make the Speaker of the Legislative Council elective by the Members of that Body;"

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Aikins, Biggar, Bourassa, Brown, Bureau, Chauveau, Christie, Charles Daoust, Darache, Jean B.E. Dorion, Antoine A. Dorion, Ferrie, Foley, Gould, Hartman, Holton, Jobin, Mackenzie, Munro, Murney, Papin, Powell, Prévost, Rolph, Terrill, Thibaudeau, Turcotte, Valois, and Wright.--(29.)

(1085-1086)

NAYS.

Messieurs Alleyn, Bowes, Brodeur, Burton, Cameron, Cartier, Casault, Cauchon, Cayley, Chapais, Chisholm, Clarke, Cook, Crysler, Daly, Jean B. Daoust, Delong, Desaulniers, Dionne, Attorney General Drummond, Dufresne, Ferres, Thomas Fortier, Octave C. Fortier, Fournier, Gill, Langton, Laporte, Larwill, Lemieux, Lumsden, Macbeth, Attorney General Macdonald, Sir A.N. MacNab, McCann, Matheson, Meagher, Niles, Patrick, Poulin, Roblin, Solicitor General Ross, James Ross, Shaw, Solicitor General Smith, James Smith, Spence, and Stevenson.--(48.)

So it passed in the Negative.

(1086)

And the Question being again proposed, That the amendments be now read a second time;

Mr. Jean Baptiste Eric Dorion moved in amendment to the Question, seconded by Mr. Sanborn, That all the words after "the" to the end of the Question be left out, in order to add instead thereof the words "Bill be re-committed to a Committee of

the whole House, with instructions to amend the Schedule A of the said Bill, so as to provide that Kénebec shall comprize the Counties of Megantic, Arthabaska, Drummond, and Wolfe; that De La Valière shall comprize the Counties of Lotbinière, Nicolet, and part of Yamaska; that Wellington shall comprize Sherbrooke, (County and Town) Compton, and Standstead; and that the Parishes of St. David and St. Michel d'Yamaska be annexed to the Electoral Division of Saurel;"

And the Question being put on the Amendment; the House divided:--And it passed in the Negative.

And the Question being again proposed, That the amendments be now read a second time;

Mr. Langton moved in amendment to the Question, seconded by Mr. Gould, That all the words after "the" to the end of the Question be left out, in order to add instead thereof the words "Bill be re-committed to a Committee of the whole House, for the purpose of making the following amendments in Schedule A, that the following Divisions shall be constituted:--

"York. The City of Toronto.

"King's. The East and West Ridings of York.

"Queen's. The North and South Ridings of Ontario, and the West Riding of Durham.

"The Lakes. The Counties of Peterborough and Victoria, and the East Riding of Durham.

"Trent. The East and West Ridings of Northumberland, and the North Riding of Hastings.

"Quinté. The South Riding of Hastings, and the Counties of Prince Edward and Lenox;"

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Aikins, Bellingham, Biggar, Bowes, Brown, Cameron, Chisholm, Clarke, Jean B. E. Dorion, Ferrie, Gould, Hartman, Langton, Lumsden, Mackenzie, Munro, Murney, Patrick, Roblin, James Ross, James Smith, Stevenson, and Wright.--(23.)

(1086-1087)

NAYS.

Messieurs Alleyn, Bourassa, Brodeur, Burton, Cartier, Casault, Cauchon, Cayley, Chapais, Chauveau, Christie, Cook, Crysler, Daly, Charles Daoust, Jean B. Daoust, Darche, DeLong, Desaulniers, Dionne, Antoine A. Dorion, Attorney General Drummond, Dufresne, Ferres, Foley, Thomas Fortier, Octave C. Fortier, Fournier, Holton, Laporte, Larwill, Lemieux, Macbeth, Attorney General Macdonald, Sir A.N. MacNab, McCarn, Matheson, Meagher, Niles, Papin, Poulin, Powell, Rolph, Solicitor General Ross, Shaw, Solicitor General Smith, Southwick, Spence, Terrill, Thibaudeau, Turcotte, and Valois.--(52.)

So it passed in the Negative.

(1087)

And the Question being again proposed, That the amendments be now read a second time;

Mr. Ferrie moved in amendment to the Question, seconded by Mr. Foley, That all the words after "the" to the end of the Question be left out, in order to add the words "Bill be re-committed to a Committee of the whole House, for the purpose of amending Schedule B, so that the Division 'Gore' be composed of the North and South Ridings of the County of Waterloo" instead thereof;

And the Question being put on the Amendment; the House divided:--And it passed in the Negative.

And the Question being again proposed, That the amendments be now read a second time;

Mr. Murney moved in amendment to the Question, seconded by Mr. Holton, That all the words after "the" to the end of the Question be left out, in order to add the words "Bill be re-committed to a Committee of the whole House, for the purpose of amending the same, so that the Territorial Division in the County of Hastings as it now exists may be connected with the County of Prince Edward" instead thereof;

And the Question being put on the Amendment; the House divided:--And it passed in the Negative.

And the Question being again proposed, That the amendments be now read a second time;

Mr. Gould moved in amendment to the Question, seconded by Mr. Patrick, That all the words after "the" to the end of the Question be left out, in order to add the words "Bill be re-committed to a Committee of the whole House, for the purpose of inserting six years instead of eight for the term of Election of Members" instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Aikins, Biggar, Bourassa, Brown, Christie, Cook, Charles Daoust, Darche, Jean B.E. Dorion, Antoine A. Dorion, Ferrie, Foley, Gould, Hartman, Holton, Langton, Mackenzie, Matheson, Munro, Murney, Niles, Papin, Patrick, Rolph, Southwick, Valois, and Wright.--(27.)

(1087-1088)

NAYS.

Messieurs Alleyn, Bellingham, Bowes, Brodeur, Cameron, Cartier, Casault, Cauchon, Cayley, Chapais, Chauveau, Clarke, Crysler, Daly, Jean B. Daoust, Delong, Desaulniers, Dionne, Attorney General Drummond, Dufresne, Ferres, Thomas Fortier, Octave C. Fortier, Fournier, Gill, Laporte, Lemieux, Lumsden, Macbeth, Attorney General Macdonald, Sir A.N. MacNab, McCann, Meagher, Poulin, Powell, Roblin, Solicitor General Ross, James Ross, Shaw, Solicitor General Smith, Spence, Stevenson, Thibaudeau, and Turcotte.--(44.)

So it passed in the Negative.

(1088)

Then the main Question being put;

Ordered, That the amendments be now read a second time.

And the amendments, being read a second time, were agreed to.

On motion of MR. COM. CR. LANDS CAUCHON, 75

(1088)

Ordered, That the Bill be read the third time To-morrow, and be then the first Order of the day; and that the Sessional Order of the 21st ultimo, be suspended for that purpose.

The House proceeded, according to Order, to take into consideration the Amendments made by the Legislative Council to the Bill, intituled, "An Act to regulate

the Militia of this Province, and to repeal the Acts now in force for that purpose;" and the same were read, as follow:--

Page 2, line 28. Leave out from "And" to "The" in line 30 where it occurs the first time, and insert in lieu thereof "all Teachers in Religious Orders."

Page 3, line 3. After "Schools" insert "actually engaged in teaching."

Page 16, line 40. After "of" insert "not more than."

The said Amendments, being read a second time, were agreed to.

Ordered, That the Honorable Sir Allan N. MacNab do carry back the Bill to the Legislative Council, and acquaint their Honors, that this House hath agreed to their Amendments.

The Order of the day for the third reading of the Bill to amend the Act to incorporate the Bytown and Prescott Railway Company, and to change the name thereof, being read;

Mr. Patrick moved, seconded by Mr. McCann, and the Question being proposed, That the Bill be now read the third time;

Mr. Brown moved in amendment to the Question, seconded by Mr. Christie, That all the words after "now" to the end of the Question be left out, in order to add the words "re-committed to a Committee of the whole House, with an instruction to strike out that provision which authorizes the sale or lease of the said Ottawa and Prescott Railway to any other Railway Company" instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bourassa, Brown, Chisholm, Christie, Cook, Jean B. Daoust, Darche, Jean B.E. Dorion, Antoine A. Dorion, Larwill, Lumsden, Mackenzie, Matheson, Papin, and Rolph.--(15.)

(1088-1089)

NAYS.

Messieurs Aikins, Alleyn, Biggar, Bowes, Brodeur, Cartier, Casault, Cauchon, Chapais, Crysler, Daly, Desaulniers, Attorney General Drummond, Dufresne, Foley, Octave C. Fortier, Fournier, Gill, Gould, Hartman, Holton, Langton, Laporte, Lemieux, McCann, Murney, Niles, Patrick, Poulin, Roblin, Solicitor General Ross, Solicitor General Smith, Southwick, Spence, Steenenson, Perill, Thibault, Turcotte, and Wright.--(39.)

So it passed in the Negative.

(1089)

Then the main Question being put;

Ordered, That the Bill be now read the third time.

The Bill was accordingly read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to change the name of the Bytown and Prescott Railway Company, and to amend the Act incorporating the same."

Ordered, That Mr. Patrick do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to incorporate a Company to construct a Railway from Port Perry to Lake Scugog, to intersect the Ontario, Simcoe and Huron Union Railroad at some point between Holland Landing and King, was according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to incorporate the Port Perry and Whitchurch Junction Railway Company."

Ordered, That Mr. Hartman do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to divide the Township of Norwich into two separate Municipalities, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Cook do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to legalize a certain Assessment and School-rate in the School Municipality of St. David, in the County of Yamaska, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Gill do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to incorporate the Oakville and Arthur Railway Company, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Chisholm do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to amend the Acts incorporating the Cobourg and Peterborough Railway Company, and to authorize the construction of a Branch thereof to Marmora, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Langton do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill further to amend the Act incorporating the Montreal and Vermont Junction Railway Company, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Antoine Aimé Dorion do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to incorporate the Ontario and Bay of Quinté Canal Company, was, according to Order, read the third time.

(1090)

Resolved, That the Bill do pass.

Ordered, That Mr. James Ross do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to incorporate certain persons under the style and title of the Otter Creek Navigation Company, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to incorporate the Otter Creek Navigation Company."

Ordered, That Mr. Southwick do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to amend the Act incorporating the Quebec Fire Assurance Company, and to facilitate the management of the business of the said Company, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Alleyn do carry the Bill to the Legislative Council, and desire their concurrence.

The Order of the day for the third reading of the Bill to amend the Act incorporating the Port Burwell Harbour Company, being read;

Ordered, That the said Order be discharged.

A Bill from the Legislative Council, intituled, "An Act to provide for an increase of the Capital Stock of the Quebec Gas Company," was, according to Order, read the third time.

Resolved, That the Bill, with the Amendments, do pass.

Ordered, That Mr. Alleyn do carry back the Bill to the Legislative Council, and acquaint their Honors, that this House hath passed the same with several Amendments, to which they desire their concurrence.

A Bill from the Legislative Council, intituled, "An Act to incorporate the Quebec Masonic Hall Association," was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Alleyn do carry back the Bill to the Legislative Council, and acquaint their Honors, that this House hath passed the same without any Amendment.

A Bill to repeal part of the Act 16 Vic. cap. 184, relating to Licenses on articles manufactured in this Province, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to explain the Act passed in the now last Session, relative to certain Duties of Excise in Upper Canada."

Ordered, That Mr. Crawford do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to authorize the keeping of separate Registers of Baptisms, Marriages, and Deaths, in the different Catholic Churches in the Parish of Montreal, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to authorize the keeping of separate Registers of Baptisms, Marriages, and Burials, in the Parish Churches of Notre Dame of Montreal, of Notre Dame of Quebec, and of St. Roch of Quebec, and in the other Churches depending thereof, (Succursales d'icelles.)"

(1091)

Ordered, That Mr. Antoine Aimé Dorion do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to prevent furious driving on certain Highways in Lower Canada, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Attorney General Drummond do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill further to amend the Act to establish Mutual Insurance Companies in Upper Canada, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Roblin do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to amend the Act 8 Vic. cap. 20, relative to Line-fences and Water-courses in Upper Canada, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to amend the Act relative to Line-fences and Water-courses in Upper Canada."

Ordered, That Mr. Crysler do carry the Bill to the Legislative Council, and desire their concurrence.

The House, according to Order, resolved itself into a Committee on the Bill to revive, continue, and amend an Act passed in the sixteenth year of Her Majesty's Reign, relative to boundary lines in the West Gore of the Township of Beverly; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Papin reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time To-morrow.

Notice being taken that there was no Quorum: the names of the Members present were taken down, as follow:--

Mr. Speaker,

Messieurs Alleyn, Brown, Cartier, Chisholm, Clarke, Crysler, Daly, Antoine Aimé Dorion, Attorney General Drummond, Niles, Roblin, Solicitor General Ross, Southwick, Spence, Stevenson, Terrill, and Wright.

And at One o'clock on Saturday morning, the House was adjourned by Mr. Speaker, without a Question first put.⁷⁶

((NOTICE OF MOTION RE: CONSTRUCTION OF CANAL ON ST. LAWRENCE RIVER.))

MR. MERRITT ((donne avis que)) demain ((il fera motion)) que cette chambre se forme en comité ... pour prendre en considération les résolutions suivantes:

1. Que d'après l'exploration et le rapport de MM. Maillefer et Raasloff, ingénieurs sous-marins, le chenal du fleuve St. Laurent, depuis le lac Ontario jusqu'à Lachine, peut être creusé pour donner une profondeur de douze pieds d'eau sur une largeur de deux cents pieds, pour la somme de cent-quatre-vingt mille louis, de manière à permettre aux steamers de la plus grande dimension de descendre le fleuve dans le plus court espace de temps possible, de diminuer les frais de transport et de faciliter le commerce au point que, dans peu d'années, l'intérêt et le principal seraient payés.

2. Que dans le cas où une compagnie responsable voudrait entreprendre et fournir d'amples garanties pour l'ouverture d'un chenal de mêmes dimensions depuis le lac Ontario jusqu'à l'Océan, pour une somme n'excédant pas 250,000L, cette chambre est d'opinion qu'une telle compagnie soit autorisée à commercer (sic) cette entreprise sous (sic) la direction des commissaires des travaux publics, sous le plus court délai possible, et que cette province fera bon des dépenses encourues à cet effet à la prochaine session de la législature par l'émission de débentures.

3. Qu'une humble adresse soit présentée à son excellence le gouverneur-général communiquant les résolutions ci-dessus.⁷⁷

FOOTNOTES: 11 MAY 1855.

1. MONTREAL GAZETTE, 15 May 1855.
2. IBID.
3. IBID.
4. IBID.
5. MORNING CHRONICLE, 19 May 1855.
6. MONTREAL GAZETTE, 15 May 1855.
7. GLOBE, 18 May 1855.
8. IBID.
9. IBID.
10. MONTREAL GAZETTE, 15 May 1855.
11. IBID.
12. IBID.
13. GLOBE, 18 May 1855.
14. IBID.
15. LE PAYS, 23 May 1855.
16. GLOBE, 18 May 1855.
17. IBID.
18. IBID.
19. GLOBE, 18 May 1855. MONTREAL GAZETTE, 15 May 1855, comments that "Mr. Gould of Ontario ... objected very strongly, and moved to strike out the clause."
20. LE PAYS, 23 May 1855.
21. GLOBE, 18 May 1855.
22. IBID.
23. IBID.
24. IBID.
25. GLOBE, 18 May 1855. In a descriptive commentary, HAMILTON SPECTATOR, 19 May 1855, mentions that "Mr. Cameron said ironically, they had better strike out the word 'property', and thus no qualification of any kind would be required." This newspaper further comments that "Messrs. Church, Gould, Delong, and other Upper Canada Reformers, and Messrs. Fortier, Dufresne, and a number of the Lower Canadians were much afraid that we should have nothing but Beggars in the House of Assembly, if the Bill were permitted to pass."
26. GLOBE, 18 May 1855.
27. IBID.
28. IBID.
29. IBID.
30. LE PAYS, 23 May 1855.
31. GLOBE, 18 May 1855.
32. IBID.
33. IBID.
34. IBID.
35. IBID.
36. IBID.
37. IBID.
38. IBID.
39. IBID.
40. LE PAYS, 23 May 1855.
41. IBID.
42. IBID.
43. LE PAYS, 23 May 1855. In contrast to this newspaper, GLOBE, 18 May 1855, reports that Mr. Chabot spoke in favor of the property qualification.

44. LE PAYS, 23 May 1855.
45. GLOBE, 18 May 1855.
46. LE PAYS, 23 May 1855.
47. GLOBE, 18 May 1855.
48. LE PAYS, 23 May 1855.
49. GLOBE, 18 May 1855. This newspaper comments as follows: "In committee the names are not taken down, but the result of a vote is ascertained by counting heads. The motion was carried--all the members of the ministry voting for it, and against their own clause. But as the vote had been taken amidst a good deal of confusion, it was agreed to take it a second time, by a division of the House--the yeas to the right, and the nays to the left. Attorney-General McDonald, Solicitor-General Smith and Postmaster-General Spence, crossed the floor, and voted with the nays, the no property-qualification party. It will be seen by the vote taken after the committee rose, that when the question was again put, they voted the contrary way." HAMILTON SPECTATOR, 19 May 1855, presents a similar commentary when reporting that "the division was taken with much difficulty. The yeas took one side, and the nays the opposite, while Messrs. Cameron and Powell counted the heads."
50. GLOBE, 18 May 1855. There are discrepancies in the votes reported by the newspapers. In HAMILTON SPECTATOR, 19 May 1855, the votes appear as 49 against the clause, 26 for it. LE PAYS, 23 May 1855, has 49 for the motion and 36 against it. LE PAYS, 23 May 1855, also comments on the result of the division as follows: "Cette décision fut reçue par de bruyans applaudissements du côté droit."
51. MONTREAL GAZETTE, 15 May 1855.
52. GLOBE, 18 May 1855.
53. IBID.
54. IBID.
55. IBID.
56. IBID.
57. IBID.
58. MONTREAL GAZETTE, 15 May 1855.
59. IBID.
60. LE PAYS, 23 May 1855.
61. MONTREAL GAZETTE, 15 May 1855.
62. GLOBE, 18 May 1855.
63. MONTREAL GAZETTE, 15 May 1855.
64. IBID.
65. GLOBE, 18 May 1855.
66. IBID.
67. IBID.
68. IBID.
69. IBID.
70. MONTREAL GAZETTE, 15 May 1855.
71. MONTREAL GAZETTE, 15 May 1855. LE PAYS, 23 May 1855, reports, without further details, that "quelques noms dans ((la cédule)) du Haut-Canada furent changés."
72. GLOBE, 18 May 1855.
73. HAMILTON SPECTATOR, 19 May 1855, in its commentary, describes the House as it sat in Committee of the Whole on the Legislative Council Bill in the following terms: "the Committee was more uproarious than even committees usually are. Mr. Casault was in the chair, and being a very small delicate looking person, not at all calculated to inspire very general respect, he found it utterly

impossible to restrain the boisterousness of honorable members. The mewling, barking, whistling, shouting, laughing, and stamping was perfectly terrific. The principal discussion arose on the property qualification of members of the Assembly, which the last clause of the bill introduced by Mr. Cauchon abolished."

74. LE PAYS, 23 May 1855.

75. GLOBE, 18 May 1855.

76. GLOBE, 18 May 1855, reports "Mr. Speaker adjourned the House for want of a quorum, this having been the first count out of the session."

77. LA MINERVE, 24 May 1855.

SATURDAY, 12 MAY 1855.

(1091)

THE following Petitions were severally brought up, and laid on the table;--

By Mr. Labelle,--The Petition of Louis Bélanger and others, of the Parish of St. Martin.

By the Honorable Mr. Robinson,--The Petition of John Crearor and others, Bailiffs of the Division Court in the County of Simcoe.

By Mr. Brown,--The Petition of A.W.O. Arthur and others, of the County of Lanark.

(1092)

By Mr. Stevenson,--The Petition of Thomas Wycott and others, Bailiffs of the County of Prince Edward.

By the Honorable Mr. Attorney General Drummond,--The Petition of the Sherbrooke County Agricultural Society No. 1.

Pursuant to the Order of the day, the following Petitions were read:--

Of H. Cartier, Mayor, in behalf of the Municipal Council of the County of Vaudreuil; praying that no change may be made in the division of the said County for Electoral purposes.

Of the Municipality of the Township of Crowland, County of Welland; praying for the passing of an Act to enable the Council of Welland to facilitate the drainage of the Marsh Land Tract acquired from the Government, and for the general improvement of the same.

Of J. Delagrave, Mayor, and others, of St. Johns and vicinity; praying that a permanent Seat of Government may be established.

Of the Reverend Gilbert Tweedie and others, of the County of Victoria; of George Willock and others, of the County of Victoria; and of Francis Willock and others, of the County of Victoria; praying that the discretionary power of Commutation may not be exercised in carrying out the provisions of the Clergy Reserves Act.

Mr. Jobin reported from the Select Committee on the Bill to amend the Acts and Ordinance concerning the civil erection of Parishes and the building and repairing of Churches, Parsonage Houses, and Churchyards, with respect to the levying of monies for the purposes mentioned in the said Acts and Ordinance, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Bill and Report be committed to a Committee of the whole House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Casault reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. Casault reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill be read the third time on Monday next.

Ordered, That the Bill, as amended, be printed for the use of the Members of this House.

*On motion of Mr. Holton, seconded by Mr. Antoine Aimé Dorion,
Ordered, That the Select Committee on the Megantic Election Petitions have leave
to adjourn until Tuesday next.*

*Ordered, That leave of absence be granted to Mr. Bell for the remainder of the
Session, on account of illness in his family.*

*Mr. Casault moved, seconded by the Honorable Mr. Robinson, and the Question
being put, That the Petition of T. Edmund Campbell, Esquire, and others, Proprietors
of Seigniories in Lower Canada, praying that the Bill now before the House to amend
the Seigniorial Act of 1854, may not become Law, be printed for the use of the
Members of this House; the House divided:--And it was resolved in the Affirmative.*

(1093)

*The Honorable Mr. Chauveau moved, seconded by Mr. Thibaudeau, and the Question
being put, That the Petition of L. Legendre and others, of the Parish of St. Louis
de Lotbinière, and the Petition of Joseph Morin and others, of the Parish of
Deschambault, in the County of Portneuf, praying for certain amendments to the
Seigniorial Tenure Act of 1854, be printed for the use of the Members of this House;
the House divided:--And it was resolved in the Affirmative.*

*Mr. Papin moved, seconded by Mr. Fourmier, and the Question being put, That the
Petition of the Reverend D.H. Tétu, Curé, and others, of the Parish of St. Roch
des Aulnets, in the County of L'Islet, Censitaires, praying for certain amendments
to the Seigniorial Tenure Act of 1854, be printed for the use of the Members of this
House; the House divided:--And it was resolved in the Affirmative.*

MR. COM. CR. LANDS CAUCHON moved the third reading of the Bill to make the
Legislative Council Elective.¹

MR. BROWN said he had an amendment to move, he proposed to introduce into the
Bill the principle of representation by population. (Hear, hear.) It was most
strange that at this time of day, when the population of Upper Canada already far
exceeded that of Lower Canada, and in face of the fact that the taxes paid by Upper
Canada formed three-fourths or four-fifths of the whole taxation of the Province, a
Bill like this dared to be proposed based upon any other principle than that of
representation by population. It was indeed a remarkable circumstance that a
Conservative Government should venture to ask Parliament to pass a Bill avowedly
placing the Upper Canadians in a position of inferiority to the people of Lower
Canada. (Hear, hear.) The Upper Canadians did not ask that they should have any
advantage over the Lower Canadians, that they should have any advantage from their
large contributions to the revenue, that they should be placed in any better posi-
tion than their fellow-subjects below--they simply asked that one man in Upper
Canada should be reckoned as good as one man in Lower Canada. (Hear, hear.) It had
been said by some hon. gentleman that at one time the population of Lower Canada was
greater than that of Upper Canada, and that then an equal number of members was
allowed to each section of the Province, and that it was hard, the moment a change
in the proportion of the respective populations took place, that the adoption of the
more correct principle should be insisted upon. There might be some force in this
argument, if it were true, that it was only now for the first time that Upper Canada
had been superior to Lower Canada in population. It had been so for some time. At
the time of the Union, the population of Lower Canada was 661,294, and that of Upper

Canada 486,085, shewing an excess in favour of Lower Canada of 175,239. Apportioning the increase shewn by the next census between the different years, it appeared that in 1849, Lower Canada had an excess of 7,518 and in 1855, 148,000. Next year, when this Elective Council Bill was to come into operation, the excess of U. Canada would be 170,695, supposing the number of persons added to the population were no greater than in the space between the last census and the one preceding. There could be no doubt, however, that the actual increase was much greater than this and that now there was a preponderance of 250,000. It thus appeared that the whole consideration given by Lower Canada to Upper Canada had been completely repaid. (Hear, hear.) They knew that the population of U. Canada doubled every 10 years, while that of Lower Canada only doubled every 25 years; so that in a few years the population of Upper Canada would be immensely in excess; and yet they were here passing a Bill which would fix the representation for many years to come, and place the people of Upper Canada under the will of a Lower Canada minority. (Hear, hear.) All he proposed was that Upper and Lower Canada should stand upon an equal footing, that one man in one section of the Province should have as much voice in the management of public affairs as one man in the other. Many of the members from Lower Canada, had hitherto been in favour of this principle. Mr. Papineau, it was well known, had always been an advocate of it. He trusted the motion would even now be supported by hon. gentlemen from Upper Canada on the Treasury Benches, who, almost without an exception, had voted for it in last Parliament, when moved by the gallant knight in last Parliament. (Hear, hear.) It was clear that the necessity for it was much greater now than it was then two years ago, when the disproportion in the amount of population was not so great; he hoped the question would be decided, not by local feeling, but on principles of justice. He therefore moved in amendment-- "That the Bill be recommitted with an instruction to amend the same, by providing that the Electoral Districts into which the Province is to be divided with a view to the election of Members for the Legislative Council shall be arranged on the principle of Representation by population, without regard to a separating line between Upper and Lower Canada."²

MR. COM. CR. LANDS CAUCHON said the motion should have been made at the second reading of the Bill and not now when it was on the eve of passing.³

MR. PRES. EX. COUN. MACNAB said he had voted with the hon. member for Lambton on this question, in last Parliament, but he did not mean to vote with him now. He believed the motion was introduced with the view of destroying the Bill. If Upper Canada was increasing as rapidly in population, as the hon. gentleman stated, the time might come when this question would be forced on the consideration of the House, and when that time came he would be prepared to meet it. But he was not prepared to join the hon. gentleman in destroying the Bill by a side-wind. He did not consider it expedient to discuss this question at all just now and therefore moved the previous question.⁴

MR. HOLTON.--This question of basing representation on population--⁵

MR. SICOTTE the SPEAKER.--You must not discuss the main question.⁶

MR. HOLTON.--I was going to shew reasons why the main question should not be put.⁷

MR. COM. CR. LANDS CAUCHON.--You cannot do it.⁸

MR. HOLTON.--What then is debateable? I am ready to debate anything that is debateable.⁹

MR. SICOTTE the SPEAKER.--You can only discuss whether the main question, Mr. Brown's motion, shall now be put. You cannot enter into the merits of that motion itself.¹⁰

MR. HOLTON proceeded to argue that this was an inopportune moment to raise the question referred to in Mr. Brown's motion. He ought to introduce it as an independent question, apart altogether from this Bill.¹¹

MR. FOLEY could not conceive a more opportune moment for raising this question, than now when they were about to pass a Bill involving a very important change in the constitution. The gallant knight, by his motion, endeavoured to prevent an expression of the opinion of this House being given on the question of representation by population, although he said he was in favour of the principle.¹²

MR. PRES. EX. COUN. MACNAB.--The hon. gentleman is mistaken. My motion simply amounts to this, that it is necessary to express the opinion of the House on that question now.¹³

MR. FOLEY.--If the principle is a good one, and the gallant knight is in favour of it, now is the time to affirm it, and to introduce it into the new constitution which the gallant knight is giving to the country. (Hear, hear.)¹⁴

MR. MERRITT.--As there was great doubt of getting the Bill carried at all this session, he did not think it expedient to encumber it by bringing the question of representation by population prominently forward just now.¹⁵

MR. POST. GEN. SPENCE said that by the vote now to be given, it would be seen who were sincere and who were not, in desiring the passage of the Legislative Council Bill. Those who supported the member for Lambton in this motion were those who did not desire the Bill at all.¹⁶

MR. HARTMAN thought the Postmaster General assumed too much in laying down the rule that those who supported the motion of the member for Lambton were opposed to the Bill. It so happened that some of those who supported the motion had manifested their attachment to the principle of an Elective Council long before the Postmaster General or any of his colleagues. (Hear, hear.) He considered this a very opportune moment to raise this question, in order that the Bill might be made as perfect as possible by being based on representation by population.¹⁷

MR. BROWN desired to say a word as to the proposal of the gallant knight, as he was precluded from speaking to the main question. The country would perfectly well understand this movement on the part of the gallant knight (Hear, hear.) It was all very well for the hon. gentleman to say it was inexpedient to discuss this question now, but the country would perfectly understand that this was the very time when it should be discussed. It was on exactly the same occasion that the gallant knight himself proposed the same motion two years ago. (Hear, hear.) The Commissioner of Crown Lands said it should have been moved at the second reading. The hon. gentleman knew very well that that could not be done, for no Bill could be amended at the second reading. This was the first time that he had an opportunity of fairly

presenting the question to the consideration of the House. It was for the House to consider whether this great question, on which the people of Upper Canada felt more deeply than on any other, was to be set aside by an expedient which had not been resorted to six times since the union of the Provinces, if so often. (Hear, hear.) The country would perfectly understand it. (Hear, hear.) If it was inexpedient to raise the question now, he would like to know when the expedient time would arrive? When he brought it up in the shape of resolutions, he was told it was inexpedient, and that he ought to bring it up when a Bill affecting the representation was before the House. Now they had this Bill before them, and could there be any time more expedient? (Hear, hear.) The object of the gallant knight's motion was transparent. He did not want the votes of himself and friends to go to the country directly in the teeth of the votes they had formerly given, but it amounted to precisely the same thing and those who hold with the gallant knight would be known to vote against representation by population.¹⁸

MR. ROBLIN did not think the proper time for raising the question of representation by population would arrive for many years to come, and when that time did come, a more important question, that of the Dissolution of the union would come ahead of it.¹⁹

A vote was then taken on the previous question, viz: Shall the question be now put on the amendment? which was negatived by 56 to 20, having the effect of preventing a vote being taken on Mr. Brown's motion.²⁰

(1093)

The Order of the day for the third reading of the Bill to amend the Imperial Act re-uniting the Provinces of Upper and Lower Canada, being read;

The Honorable Mr. Cauchon moved, seconded by Mr. Casault, and the Question being proposed, That the Bill be now read the third time;

Mr. Brown moved in amendment to the Question, seconded by Mr. Hartman,²¹ That all the words after "now" to the end of the Question be left out, in order to add instead thereof the words "re-committed to a Committee of the whole House, with an instruction to amend the same, by providing that the Electoral Districts into which the Province is to be divided with a view to the Election of Members for the Legislative Council, shall be arranged on the principle of Representation by Population without regard to a separating line between Upper and Lower Canada;"

And the Previous Question being put, That that Question be now put; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Aikins, Biggar, Bowes, Brown, Christie, Cook, Fergusson, Ferrie, Foley, Gould, Hartman, Lumsden, Mackenzie, Matheson, Munro, Rhodes, Robinson, Rolph, Scatcherd, and Wright.--(20.)

NAYS.

Messieurs Bellingham, Bourassa, Brodeur, Burton, Cartier, Casault, Cauchon, Cayley, Chabot, Chapais, Chauveau, Chisholm, Church, Crawford, Cryslar, Daly, Charles Daoust, Jean B. Daoust, Darche, Delong, Desaulniers, Jean B.E. Dorion, Antoine A. Dorion, Attorney General Drummond, Dufresne, Ferres, Thomas Fortier, Gill, Holton, Jobin, Labelle, Laberge, Langton, Laporte, Lemieux, Macheth, Attorney General Macdonald, Sir A.N. MacNab, McCann, Merritt, Papin, Patrick, Poulin,

Prévost, Roblin, Solicitor General Ross, Sanborn, Shaw, Solicitor General Smith, James Smith, Southwick, Spence, Terrill, Thibaudeau, Turcotte, and Valois.--(56.)

So it passed in the Negative.

And the Question being again proposed, That the Bill be now read the third time;

MR. MACKENZIE said he considered that in justice to all sections of the country, a new census should be ordered, on the basis of which the representation should be equitably distributed. He intended to submit a motion to that effect, and he at all events could not be accused of bringing it forward because he was unfriendly to an Elective Council. If there was an older friend of Elective Councils than himself in this House, he would like to know who he was. (Hear, hear.) He was in favour of thoroughly carrying out the Elective principle, but he did not like it in the shape in which it was connected with an unfair representation as in this Bill. Two years ago the gallant knight moved the very motion which he had now gagged, because he had a seat in the Government and was paid for advising his Excellency, under a bargain that he would not do such things. (Order!) With an understanding then, if not a bargain²².

MR. PRES. EX. COUN. MACNAB.--No!²³

((MR. MACKENZIE continued:)) The gallant knight said there was no bargain, no understanding--he was able to give no reason for his change of policy, except that he had changed his seat to the Government Benches. Two years ago the hon. gentleman wanted to be popular, and asked for the measures which the country wanted, in order that he might get into the Government. But now that he has got there so far from carrying out the same views, he endeavoured to gag those who sought to express them by moving the previous question. (Hear, hear.)²⁴

MR. J. SMITH (Victoria.)--Is the member for Haldimand in order in proposing another amendment, the same as that which has just been disposed of?²⁵

MR. SICOTTE the SPEAKER, having had the motion sent in to him, decided that it was in order.²⁶

MR. MACKENZIE proceeded to shew that the principle now advocated of representation by population, had been contended for by the framers of the 92 resolutions, and should therefore commend itself to the Lower Canada members. Why should they give to Upper Canada a different measure of justice from what they had sought for themselves? The hon. gentleman quoted also from Lord Jeffrey, Mr. Macaulay, and Mr. Hinck's in favour of the principle. The Attorney General West also used to be a strong advocate of representation by population, and he would like him now to rise and explain why he had changed his views since he need so ably and eloquently to argue in its favour. He moved in amendment to the main motion:--

"That the Bill be recommitted, with an instruction to amend the same, by providing that the Electoral Districts into which the Province is to be divided with a view to the election of Members of the Legislative Council shall be arranged as nearly as may be upon the principle of Representation by population, under a new census to be provided for immediately."²⁷

MR. MURNEY supported the amendment. He was opposed to an Elective Council, but if the principle of representation was to be introduced into the Upper House, let that representation be by population.²⁸

MR. J. SMITH (Victoria) opposed the amendment, as tending to defect the Bill.²⁹

MR. POWELL said he went with the Government in desiring to confide to the people the right to elect their representatives in both branches of the Legislature, but he went also with the member for Haldimand in supporting the just and equitable proposition he had submitted to the House. He did not think it fair that the fact of a man's being a resident in Upper Canada should give him a less voice in the management of public affairs than if he were a resident in Lower Canada. When members came to talk with their constituents on this point they would find that a very strong feeling prevailed regarding it. (Hear, hear.) The broad principle of justice dictated that if representation was given to the people, it should be equally divided amongst the people. (Hear, hear.)³⁰

MR. BOWES spoke in favour of the amendment.³¹

The amendment was then put and negatived³².

(1094)

Mr. Mackenzie moved in amendment to the Question, seconded by Mr. Hartman, That all the words after "now" to the end of the Question be left out, in order to add instead thereof the words "re-committed to a Committee of the whole House, with an instruction to amend the same, by providing that the Electoral Districts into which the Province is to be divided with a view to the Election of Members of the Legislative Council, shall be arranged as nearly as may be upon the principle of Representation by Population under a new Census to be provided for immediately;"

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Aikins, Biggar, Bowes, Brown, Christie, Cook, Fergusson, Ferrie, Foley, Gould, Larwill, Mackenzie, Munro, Murney, Powell, Robinson, Rolph, Scatcherd, and Wright.--(19.)

NAYS.

Messieurs Bellingham, Blanchet, Brodeur, Burton, Cartier, Casault, Cauchon, Cayley, Chabot, Chapais, Chauveau, Chisholm, Church, Cooke, Crysler, Daly, Jean B. Daoust, Darche, DeLong, Desaulniers, Jean B.E. Dorion, Attorney General Drummond, Dufresne, Thomas Fortier, Octave C. Fortier, Fournier, Gill, Labelle, Laporte, LeBoutillier, Lemieux, Lumsden, Macbeth, Attorney General Macdonald, Roderick McDonald, Sir A.N. MacNab, McCann, Matheson, Meagher, Merritt, O'Farrell, Papin, Patrick, Poulin, Roblin, Solicitor General Ross, Shaw, Solicitor General Smith, James Smith, Southwick, Spence, Stevenson, Terrill, Thibaudeau, Turcotte, and Valois.--(56.)

So it passed in the Negative.

And the Question being again proposed, That the Bill be now read the third time;

MR. BROWN then moved in amendment to the main motion, "That the Bill be re-committed, with an instruction to amend the same, by providing that to secure the harmony between the three Branches of the Legislature essential to our existing Constitution, the power of dissolving the Legislative Council shall be vested in the Crown in the same manner as it is now exercised in regard to the ... House of

Assembly."--Responsible Government, he said, was completely at an end, unless some mode was provided of securing harmony between the three branches. Ministers would be stripped of their Responsibility, if there was one branch of the Legislature which they had not the power to dissolve, and appeal to the people.³³

MR. MURNEY opposed the amendment. He conceived that the last conservative element in the Upper House would be taken away, if the Government of the day had the power of dissolving it. This was the only feature of the Bill which he admired.³⁴

The amendment was negatived on a division.³⁵

(1094)

Mr. Brown moved in amendment to the Question, seconded by Mr. Fergusson, That all the words after "now" to the end of the Question be left out, in order to add instead thereof the words "recommitted to a Committee of the whole House, with an instruction to amend the same, by providing that to secure the harmony between the three Branches of the Legislature essential to our existing Constitution, the power of dissolving the Legislative Council shall be vested in the Crown in the same manner as it is now exercised in regard to the House of Assembly;"

And the Question being put on the Amendment; the House divided:--And it passed in the Negative.

And the Question being again proposed, That the Bill be now read the third time;

Mr. Brown moved in amendment to the Question, seconded by Mr. Fergusson, That all the words after "now" to the end of the Question be left out, in order to add instead thereof the words "recommitted to a Committee of the whole House, with an instruction to amend the same, by providing that the Members of the Legislative Assembly shall be chosen for three years, and the Members of the Legislative Council for six years, one-third of the said Councillors to retire every second year;"

(1095)

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Biggar, Brown, Christie, Charles Daoust, Darche, Jean B.E. Dorion, Fergusson, Ferrie, Foley, Gould, Hartman, Mackenzie, Matheson, Munro, Papin, Valois, and Wright.--(17.)

NAYS.

Messieurs Bellingham, Blanchet, Bowes, Brodeur, Burton, Cameron, Cartier, Casault, Cauchon, Cayley, Chabot, Chapais, Chauveau, Chisholm, Church, Cooke, Cook, Crysler, Daly, Jean B. Daoust, Delong, Desaulniers, Attorney General Drummond, Dufresne, Thomas Fortier, Octave C. Fortier, Fournier, Gill, Labelle, Laporte, Larwill, LeBoutillier, Lemieux, Lumsden, Macbeth, Attorney General Macdonald, Sir A.N. MacNab, McCann, Meagher, Merritt, Murney, O'Farrell, Patrick, Poulin, Powell, Rhodes, Robinson, Roblin, Solicitor General Ross, Shaw, Solicitor General Smith, James Smith, Southwick, Spence, Stevenson, Terrill, Thibaudeau, and Turcotte.--(58.)

So it passed in the Negative.

Then the main Question being put; the House divided: and the names being called for, they were taken down, as follow:--

(H.A.S.)

Messieurs Aikins, Bellingham, Blanchet, Brodeur, Burton, Cartier, Casault, Cauchon, Cayley, Chabot, Chapais, Chauveau, Chisholm, Christie, Church, Clarke, Cooke, Cook, Crysler, Daly, Charles Daoust, Jean B. Daoust, Darche, DeLong, Desaulniers, Jean B.F. Dorion, Attorney General Drummond, Dufresne, Ferguson, Ferrie, Foley, Thomas Fortier, Octave C. Fortier, Fournier, Gill, Gould, Hartman, Holton, Labelle, Laporte, LeBoutillier, Lemieux, Lumsden, Macbeth, Attorney General Macdonald, Mackenzie, Sir A.N. MacNab, McCann, Matheson, Meagher, Merritt, Papin, Patrick, Poulin, Powell, Rhodes, Roblin, Rolph, Solicitor General Ross, Scatcherd, Shaw, Solicitor General Smith, James Smith, Southwick, Spence, Stevenson, Terrill, Thibaudeau, Turcotte, Valois, and Wright--(71.)

NAYS.

Messieurs Bowes, Brown, Cameron, Huot, Laberge, Larwill, Munro, Murney, and Robinson--(9.)

So it was resolved in the Affirmative.

(1096)

The Bill was accordingly read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to alter the Constitution of the Legislative Council by rendering the same Elective."

Ordered, That the Honorable Mr. Cauchon do carry the Bill to the Legislative Council, and desire their concurrence.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

Mr. Speaker,

The Legislative Council have passed the following Bills, without Amendment; viz.:--

Bill, intituled, "An Act granting additional Aid, by Loan, to the Grand Trunk Railway Company of Canada:"

Bill, intituled, "An Act to incorporate the Canada Ore Dressing Company:"

Bill, intituled, "An Act to incorporate Zimmerman Bank:"

Bill, intituled, "An Act to transfer to the City of Montreal all the property, rights and privileges heretofore enjoyed by the Wardens of the House of Industry in the City of Montreal, and for other purposes:"

Bill, intituled, "An Act to incorporate the Corresponding Committee at Montreal of the Colonial Church and School Society:"

Bill, intituled, "An Act to amend the Act of last Session relative to the enregistration of the Articles of Clerkship of Law Students, and for other purposes therein mentioned:" And also,

The Legislative Council have agreed to the Amendments made by this House to the Bill, intituled, "An Act to provide for an increase of the Capital Stock of the Quebec Gas Company," without any Amendment: And also,

The Legislative Council have agreed to the Amendments made by this House to the Bill, intituled, "An Act to incorporate the Lyn Manufacturing Company," without any Amendment: And also,

The Legislative Council have passed the Bill, intituled, "An Act to amend the Joint Stock Company Rivers Improvement Act, and to ex(t)end it to Lower Canada," with several Amendments, to which they desire the concurrence of this House.

And then he withdrew.

A Bill to revive, continue and amend an Act passed in the sixteenth year of Her Majesty's Reign, relative to boundary lines in the West Gore of the Township of Beverly, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to revive, continue and amend certain provisions of the Act for establishing the Boundary Lots in the West Gore of the Township of Beverly."

Ordered, That the Honorable Mr. Spence do carry the Bill to the Legislative Council, and desire their concurrence.

Mr. Solicitor General Smith moved, seconded by the Honorable Mr. Chabot, and the Question being put, That this House do now adjourn; the House divided: and the names being called for, they were taken down, as follow:--

(1096-1097)

YEAS.

Messieurs Bellingham, Blanchet, Brodeur, Burton, Chabot, Chapais, Church, Crysler, Thomas Fortier, Octave C. Fortier, Fournier, Labelle, Laporte, Larwill, LeBoutillier, Lemieux, Lumsden, Macbeth, Meagher, Joseph C. Morrison, O'Farrell, Poulin, Rhodes, Roblin, Solicitor General Ross, Solicitor General Smith, Southwick, Spence, Thibaudeau, and Turcotte.--(30.)

(1097)

NAYS.

Messieurs Aikins, Bourassa, Brown, Cameron, Cartier, Cauchon, Chauveau, Chisholm, Clarke, Cooke, Charles Daoust, Darche, Delong, Jean B.E. Dorion, Dufresne, Ferrie, Foley, Gould, Hartman, Huot, Laberge, Langton, Attorney General Macdonald, Roderick McDonald, Mackenzie, Sir A.N. MacNab, Merritt, Murney, Papin, Patrick, Powell, Robinson, Rolph, Shaw, James Smith, Stevenson, and Terrill.--(37.)

So it passed in the Negative.

On motion of Mr. Southwick, seconded by Mr. Macbeth,

Ordered, That the 67th Rule of this House be suspended as regards the Bill to amend the Act incorporating the Port Burwell Harbour Company.

Mr. Bellingham moved, seconded by Mr. Clarke, and the Question being put, That the Vaudreuil Railway Company do furnish a certified List of the Stockholders of the said Company, and the amount paid by them on their Stock; the House divided:--And it passed in the Negative.

MR. MACKENZIE moved, That the House do now resolve itself into a Committee of the whole to consider the following resolution:--That an humble Address be presented to His Excellency the Governor General, setting forth; that John Montgomery of the City of Toronto, Innkeeper, has, by his Petition complained to this House, that his extensive Hotel, outbuildings, furniture, and other property, situated in the Township and County of York, were taken forcible possession of while rented to and in the occupation of his tenant, John Lainfoot, Tavern Keeper, set on fire at noon-day, on Thursday, December 7th, 1837, and burnt to the ground, by Her Majesty's Forces, then acting during an insurrection, under the immediate direction of Lieutenant Governor Sir Francis Bond Head, Baronet, in person, by which he was subjected to a loss of Ten thousand dollars, for which he has had no redress or recompense; that the destruction of his property was wanton; that he is prepared to prove, by the most clear and satisfactory evidence, and solemnly avers that he did not aid or

encourage the party who were in armed insurrection; but on the contrary strongly remonstrated against their occupation of his premises; and praying that His Excellency in Council would cause inquiry to be made, and justice to be done to the Petitioner.³⁶

MR. PRES. EX. COUN. MACNAB said it was absurd that the hon. member should want information as to how Montgomery's House was burned, when he was there himself and saw it. When the hon. gentleman styled himself a patriot and got a number of deluded followers to join him, Montgomery's Tavern was their strong hold, from which they were to issue forth and capture and burn the City of Toronto.³⁷

MR. MACKENZIE said the hon. gentleman had no right to accuse him of having wished to burn the City.³⁸

MR. PRES. EX. COUN. MACNAB said he could produce his newspapers to shew what his intentions were, but he had no desire to raise that question. Montgomery had been pardoned, and allowed to return to the Province, and there was no necessity for this enquiry.³⁹

MR. MACKENZIE.--He was never guilty of anything to require pardon.⁴⁰

MR. BROWN.--Was this claim preferred and investigated before the Rebellion Losses Commissioners?⁴¹

MR. MACKENZIE.--I cannot tell. I was not here.⁴²

MR. BROWN.--The subject was formerly discussed, and I think the ground then taken by the administration was that the claim had been investigated ((by)) the Rebellion Losses Commissioners, and by them rejected.⁴³

MR. AT. GEN. J.A. MACDONALD said he believed that was the case. If it had not been investigated by the Rebellion Losses Commissioners, it must have been because Montgomery did not prefer it, and if he did not prefer it then, he had no right to bring it forward now. He had put himself out of Court by his own fault. The motion only revived old matters, which should have gone to sleep long ago. He remembered the circumstances very well himself, as he saw the burning of Montgomery's Tavern.⁴⁴

MR. MACKENZIE.--So did I.⁴⁵

MR. AT. GEN. J.A. MACDONALD.--And the reason why it was burned was that Her Majesty's troops were fired upon out of that House.⁴⁶

MR. MACKENZIE.--It was not so!⁴⁷

MR. BROWN said the material point was whether or not the claim had been before the Commission. If they were to recognize a claim which either had been, or ought to have been before the commission, they would open the door to a host of others, which they believed had been closed for ever. (Hear, hear.) He could not therefore support the motion, unless the claim had not been before the Commission, and the hon. gentleman could show good reasons why it had not been, or any circumstances which distinguished it from other Rebellion Losses claims.⁴⁸

MR. FOLEY said the Government had set the example of opening up old claims by recognizing one much older than this, that of Clarke Gamble.⁴⁹

The motion was negatived⁵⁰.

(1097)

Mr. Mackenzie moved, seconded by Mr. Hartman, and the Question being put, That this House will immediately resolve itself into a Committee to consider the following Resolution: That an humble Address be presented to His Excellency the Governor General, setting forth; that John Montgomery, of the City of Toronto, Inn-keeper, has, by his Petition, complained to this House, that his extensive Hotel, outbuildings, furniture, and other property, situated in the Township and County of York, were taken forcible possession of while rented to and in the occupation of his tenant, John Lainfoot, Tavern-keeper, set on fire at noon-day, on Thursday, December 7th, 1837, and burnt to the ground, by Her Majesty's Forces, then acting during an insurrection, under the immediate direction of Lieutenant Governor Sir Francis Bond Head, Baronet, in person, by which he was subjected to a loss of Ten thousand dollars, for which he has had no redress or recompense; that the destruction of his property was wanton; that he is prepared to prove, by the most clear and satisfactory evidence, and solemnly avers that he did not aid or encourage the party who were in armed insurrection; but on the contrary strongly remonstrated against their occupation of his premises; and praying that His Excellency in Council would cause enquiry to be made, and justice to be done to the Petitioner; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Biggar, Bourassa, Christie, Charles Daoust, Darche, Jean B.E. Dorion, Foley, Hartman, Mackenzie, Papin, Rolph, Southwick, Valois, and Wright.--(14.)

(1097-1098)

NAYS.

Messieurs Bellingham, Blanchet, Brodeur, Brown, Burton, Cartier, Casault, Cauchon, Chabot, Chisholm, Church, Clarke, Cooke, Cook, Delong, Desaulniers, Attorney General Drummond, Dufresne, Fergusson, Ferrie, Thomas Fortier, Octave C. Fortier, Fournier, Gill, Labelle, Langton, Lemieux, Macbeth, Attorney General Macdonald, Roderick McDonald, Sir A.N. MacNab, McCann, Matheson, Munro, Patrick, Poulin, Robinson, Roblin, Solicitor General Ross, Shaw, Solicitor General Smith, James Smith, Spence, Stevenson, Terrill, and Turcotte.--(46.)

So it passed in the Negative.

(1098)

Mr. Bellingham moved, seconded by Mr. Clarke, and the Question being proposed, That this House will immediately resolve itself into a Committee to take into consideration the expediency of adopting certain Resolutions extending the powers of the Trustees of the Montreal Turnpike Roads;

The Honorable Mr. Attorney General Drummond, a Member of the Executive Council, by Command of His Excellency the Governor General, then acquainted the House, that His Excellency having been informed of the subject-matter of this Motion, recommends it to the consideration of the House.

And it being Six o'clock in the afternoon, the House was adjourned by Mr. Speaker until Monday next, without a Question first put.

((QUESTION AND ANSWER RE: CLERGY RESERVES.))

MR. FOLEY ... ((asked)) a question⁵¹.

MR. AT. GEN. J.A. MACDONALD said that arrangements had been entered into to commute the stipends of several clergymen of the Church of England, an order of Council passed authorizing the same, and debentures held by the Government for the Clergy Reserves fund had been delivered to them.⁵²

((QUESTION AND ANSWER RE: PROVINCIAL POLICE FORCE.))

MR. BELLINGHAM ... ((asked)) a question⁵³.

MR. AT. GEN. DRUMMOND said ... that Government would not bring in a Police Bill this session.⁵⁴

((WITHDRAWN MOTION RE: REPORT OF COMMITTEE ON CHARGES AGAINST LATE ADMINISTRATION.))

MR. BROWN called the Speaker's attention to a grave tampering with the Report of a very important select Committee. In looking into the printed Report of the proceedings of the Committee appointed to investigate the charges against the late Administration, he found that several material discrepancies existed between what was reported and what actually took place, not only in regard to the minutes, but in regard to the evidence received. He would mention some instances of this. The Solicitor General, who had originally moved for its appointment, laid before the Committee four resolutions which he proposed should be adopted as their final judgment. They were proposed and discussed one day, and postponed for consideration to a second day, when they were again discussed, and on a third day three of the resolutions were adopted. The Solicitor General then asked and obtained leave to withdraw the fourth resolution. All this was recorded on the minutes; but some one had taken upon himself to go back upon the previous days and alter the record in the minutes which had been read to the Committee and adopted by striking out the fourth resolution. Another case was this. The Committee gave him (Mr. Brown) a number of questions to reply to in writing and he complied with their request, as many other witnesses had done. The Committee, however, refused to receive the evidence because it was in writing. Mr. Dorion thereupon moved that "the following reply by Mr. Brown be received," making his (Mr. Brown's) replies part of his motion, so as to get them on the journals. The chairman ruled that the motion could not be received, and Mr. Dorion appealed from his decision. The question then arose how the appeal was to be recorded on the minutes; it was necessary to show what was the matter in dispute on which the appeal arose; and to meet the difficulty, the Clerk was instructed to allow Mr. Dorion's motion and strike from it all his (Mr. Brown's) testimony. This was resolved upon after discussion by the Committee and the minutes were printed and distributed in this shape.--Some six or eight days later Mr. Hincks wished to give in a commentary on the evidence, and finding it difficult to comment on that which was not on record he induced the majority of the Committee to receive the rejected replies, but not as evidence, and to effect this they absolutely went back on the proceedings and without consulting the Committee erased from the minutes all that had been done in reference to his (Mr. Brown's) replies and inserted them in the way Mr. Hincks desired. In another instance, a member of this House had been

called as a witness by Mr. Hinck and cross-examined by him (Mr. Brown) and it was material to show that the line of cross examination had been called forth by the examination in chief, but the record had been completely reversed, the cross-examination coming first and the other after it. When, again, our agreement had been come to as to Mr. Hincks' defence--⁵⁵

MR. SICOTTE the SPEAKER here interrupted Mr. Brown, and suggested that he should submit the matter to the other members of the Committee.⁵⁶

MR. BROWN said he had discovered some of these things before the Chairman (Mr. Smith, Northumberland) left town. He pointed out to that gentleman some of the discrepancies⁵⁷.

MR. S. SMITH said that the matter was as he had stated it, and that the Clerk should make it right.⁵⁸

MR. BROWN then spoke to the Clerk⁵⁹.

((The Clerk)) agreed that the proceedings of the Committee were as he had stated, but he said he was instructed to report them otherwise. "But" he added, "If you mark the passages you complain of with pencil, I will correct them as you want."⁶⁰

MR. BROWN did not feel justified in taking it upon himself to do this.... He left it in the hands of the House to say what should be done in the circumstances he had pointed out. There could be no doubt whatever as to the fact. Any one could satisfy himself as to that by looking at the minutes.⁶¹

MR. SOL. GEN. H. SMITH.--Does the hon. gentleman wish the resolution to be printed, which it was agreed should be withdrawn.⁶²

MR. BROWN said he wished the minutes to be printed, just as they had been adopted by the Committee, and not that the Solicitor General should be allowed to instruct the Clerk to strike out such portions as he pleased.⁶³

MR. SOL. GEN. H. SMITH said that at the last meeting of the Committee, it was agreed by a majority, that the resolutions adopted as the ultimate report of the Committee should be entered as having been adopted on the previous Saturday. So far as the hon. gentleman's evidence was concerned, he knew nothing about that. But as to the resolution which had been referred to, leave had been given to withdraw both it, and Mr. Dorion's amendment to it, and he considered there was no use in publishing resolutions which had never been put to the vote.⁶⁴

MR. BROWN said it was not the case that Mr. Dorion had withdrawn his amendment. What he complained of was that some one had gone back upon the minutes deliberately adopted and recorded by the committee and obliterated portions of the record. He considered that this was a matter of very grave importance, and that it was not seemly in a member of the Government, who admitted having himself been the cause of some of those changes to treat it as a light matter. He would, therefore, move the appointment of a Select Committee to examine the discrepancies between the actual proceedings of the Committee, and those reported to the House.⁶⁵

MR. SOL. GEN. H. SMITH.--You will require to give notice of that.⁶⁶

MR. BROWN said that, being a matter of privilege, no notice was required. He had no desire, however, that this motion should appear on the journals, if the House thought fit to leave it with the Speaker to compare the Minutes with the printed Report.⁶⁷

MR. ROBINSON thought that, if the leaving out a resolution which had been withdrawn, was the only alteration complained of, there was no necessity for appointing a Special Committee, to investigate the proceedings of the former committee.⁶⁸

MR. BROWN said it was not the only alteration, and what he proposed would not affect any proceeding of the committee, but simply the Report made to this House, which he declared was not a true transcript of the proceedings.⁶⁹

MR. AT. GEN. DRUMMOND suggested that it should be left with the members of the committee themselves, or with the Speaker, to examine the discrepancies complained of by the member for Lambton.⁷⁰

MR. BROWN said he was quite willing to accept this suggestion. There could be no doubt whatever as to the fact, which must be apparent to every one who took the trouble to compare the minutes and the printed report. He therefore withdrew his motion.⁷¹

((POSTPONED MOTION RE: DECIMAL SYSTEM.))

MR. MACKENZIE moved the adoption of the two following Resolutions, reported by the Standing Committee on public Accounts, Wednesday (sic), 11th April, 1855.

Resolved, That after the 31st day of January, 1856, there shall be but one Currency of Accounts and Payment, of which the Dollar shall be the Unit and Standard of Value; the Public Accounts shall be kept in Dollars, Cents, and Mills; and the Coinage be equal in intrinsic value to that of the United States.

2. Resolved, That the Ton of 2240 lbs.--the Cwt. of 112 lbs.--the Half-cwt. of 56 lbs., and the Quarter-cwt. of 28 lbs., be reduced to a Ton of 20000 (sic) lbs., and its subdivisions.⁷²

MR. AT. GEN. J.A. MACDONALD hoped the resolutions would be withdrawn. Even if adopted, it would be impossible to take any action on them this session. They embraced two subjects, the one of which did not necessarily involve the other. Even if it were found advantageous to keep the Public Accounts in Decimal Currency, a decimal coinage might not perhaps be desirable. It had been found more convenient in the States, taking the dollar as the unit, to divide into halves, quarters and eighths than strictly according to the decimal system.⁷³

MR. BROWN, although he was decidedly in favour of the decimal system, and considered that the Committee, and especially the member for Haldimand, deserved great credit for the trouble they had taken in the matter, yet agreed with the Attorney General that it would not be wise to press for the adoption of the resolutions at the very end of the session, when it was impossible to carry a law based on them. Besides he thought it would be prejudicial to the question to force a decision on it, without some discussion, and before it had been thoroughly considered by the country.⁷⁴

After some further conversation, MR. MACKENZIE, in the absence of the Inspector General, postponed his motion till Monday.⁷⁵

FOOTNOTES: 12 MAY 1855.

1. GLOBE, 19 May 1855.
2. IBID.
3. IBID.
4. IBID.
5. IBID.
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7. IBID.
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18. IBID.
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20. IBID.
21. GLOBE, 19 May 1855, reports Mr. Brown's motion was "seconded by Mr. Fergusson."
22. GLOBE, 19 May 1855.
23. IBID.
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48. IBID.
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50. IBID.

51. MORNING CHRONICLE, 14 May 1855.
52. IBID.
53. IBID.
54. IBID.
55. GLOBE, 19 May 1855.
56. IBID.
57. IBID.
58. IBID.
59. IBID.
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MONDAY, 14 MAY 1855.

(1098)

THE following Petitions were severally brought up, and laid on the table:--

By Mr. Delong,--The Petition of Warren Lyman and others, Clerks of Division Courts for the United Counties of Leeds and Grenville.

By Mr. Mackenzie,--The Petition of William Thompson and others, Clerks of Division Courts for the County of Haldimand.

By Mr. Gould,--The Petition of William Turkey and others, of the Township of Uxbridge.

By Mr. Shaw,--The Petition of the Municipality of the Township of Drummond.

By Mr. Dufresne,--The Petition of the Reverend M. Charron and others, of the Parish of St. Esprit.

By Mr. Lumsden,--The Petition of the Municipality of the Township of Whitby.

By Mr. Felton,--The Petition of Elias Cheney and others, Trustees of the Sherbrooke Academy.

By the Honorable Mr. Chabot,--The Petition of Michael Barrett, of the City of Quebec, Bailiff.

By Mr. Bureau,--The Petition of Vital Baillargeon and others, of the County of Chateauguay.

Pursuant to the Order of the day, the following Petitions were read:--

Of H.N. Delesderniers and others, of the Parish of Ste. Scholastique; and of Louis Bélanger and others, of the Parish of St. Martin; praying that a permanent Seat of Government may be established.

(1099)

Of Thomas Duffill and others, Members of the Wesleyan Methodist Church of Bradford Circuit, County of Simcoe; of P. McGregor and others, of the Township of Warwick, County of Lambton; of Robert Brown and others, of the Township of Caledon, County of Peel; and of A.W.O. Arthur and others, of the County of Lanark; praying that the discretionary power of commutation may not be exercised in carrying out the provisions of the Clergy Reserves Act.

Of L.U. Grénier, President, and others, on behalf of a Public Meeting held in the Parish of Lotbinière; praying that the said Parish of Lotbinière may be and remain the chief place in the County of Lotbinière.

Of J.A. Wilkes and others, of Brantford; praying to be incorporated into a Company with the usual powers to carry on the business of Banking at Brantford.

Of Paul Shirley and others, Trustees of the Newburgh Academy; praying for an aid.

Of the Mayor, Aldermen, and Councillors of the City of Quebec; praying that the City may not be deprived of the property known as the Cul-de-Sac Harbour.

Of John Crearor and others, Bailiffs of the Division Court in the County of Simcoe; and of Thomas Wycott and others, Bailiffs of the County of Prince Edward; praying that the Tariff of Fees allowed them may be increased.

Of the Sherbrooke County Agricultural Society No. 1; representing that in consequence of the scarcity of Fodder last Winter, many of the Farmers were under the necessity of feeding their cattle on the grain intended for Seed; and praying for an aid to purchase Seed Grain, to be sold to those Farmers who are unable to provide themselves with the same.

The House proceeded to take into consideration the Amendments made by the Legislative Council to the Bill, intituled, "An Act to enable the Trustees of the Toronto

General Burying Ground to close the same, to sell a portion thereof, and to acquire other ground for the purposes of the Trust;" and the same were read, as follow:--

Page 1, line 31. After "the" insert "expiration of three months from"

Page 2, line 30. After "aforesaid" insert "Provided always, that the said Trustees shall not be capable of acquiring or holding, and they are not hereby authorized to acquire or hold any such piece of ground for the purposes aforesaid, nor shall the same be vested in them, until after the Municipal Council of the Municipality within the limits of which the same may be situate, shall have passed a By-Law consenting to and authorizing, in express terms, the establishment of a Cemetery on such piece of ground; and provided also, that it shall not be lawful for the said Trustees, at any time after such piece of ground shall become vested in them for the purposes aforesaid, to make or suffer to be made any other use of the same, than for the purposes of such Cemetery."

The said Amendments, being read a second time, were agreed to.

Ordered, That Mr. Mackenzie do carry back the Bill to the Legislative Council, and acquaint their Honors, that this House hath agreed to their Amendments.

On motion of Mr. Stevenson, seconded by Mr. Terrill,

Resolved, That this House doth concur in the Fifth Report of the Standing Committee on Printing.

Mr. Mackenzie moved, seconded by Mr. Jean Baptiste Eric Dorion, and the Question being put, That the Return to the Address of this House asking for a List of Executive Councillors, Judges, Coroners, Magistrates, Postmasters, Collectors of Customs, and all other Officers appointed by Government within the last twelve months, with

(1100)

an account of their incomes, and the duties they perform, be printed for the use of Members, with two extra copies to each Member; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bourassa, Brown, Darche, DeLong, Desaulniers, Jean B.E. Dorion, Ferrie, Gould, Hartman, Lumsden, Roderick McDonald, Mackenzie, Marchildon, Merritt, Prévost, Rolph, Sanborn, Scatcherd, Turcotte, and Valois.--(20.)

NAYS.

Messieurs Bellingham, Brodeur, Cameron, Cartier, Casault, Cayley, Chisholm, Church, Clarke, Crysler, Daly, Jean B. Daoust, Dufresne, Thomas Fortier, Octave C. Fortier, Fournier, Gill, Labelle, Langton, Laporte, Loranger, Macbeth, Matheson, Joseph C. Morrison, Niles, Patrick, Poulin, Powell, Robinson, Shaw, Solicitor General Smith, James Smith, Somerville, and Stevenson.--(34.)

So it passed in the Negative.

Mr. Jean Baptiste Eric Dorion moved, seconded by Mr. Bureau, and the Question being put, That the Orders of the day be now read; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Aikins, Bellingham, Biggar, Bourassa, Bowes, Brown, Bureau, Cameron, Chapais, Clarke, Cooke, Cook, Crawford, Darche, Jean B.E. Dorion, Foley, Fournier,

Gill, Gould, Hartman, Macbeth, Roderick McDonald, McCann, Marchildon, Joseph C. Morrison, Niles, Prévost, Robinson, Sanborn, James Smith, Stevenson, and Terrill.
--(52.)

NAYS.

Messieurs Brodeur, Casault, Chisholm, Church, Crysler, Jean B. Daoust, Delong, Desaulniers, Dufresne, Thomas Forlier, Octave C. Fortier, Labelle, Laberge, Langton, Laporte, Loranger, Lumsden, Matheson, Merritt, Patrick, Poulin, Rhodes, Polph, Shaw, Somerville, Turcotte, and Valois.--(27.)

So it was resolved in the Affirmative.

And the Order of the day for the third reading of the Bill to amend the Act 12 Vic. cap. 85, intituled, "An Act to amend the several Laws therein mentioned relative to the appointment and duties of Inspectors of Weights and Measures in Upper Canada," being read;

The Bill was accordingly read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act further to amend the Laws concerning Inspectors of Weights and Measures in Upper Canada."

(1101)

Ordered, That Mr. Chisholm do carry the Bill to the Legislative Council, and desire their concurrence.

MR. CHISHOLM moved the adoption of the sixteenth report of the Standing Committee on contingencies, as follows:--

"Your committee have considered the claim of the several messengers of the house, for an allowance to cover the expenses incurred in travelling to their homes in December last, at the adjournment of the house, recommend that the following messengers be allowed two pence currency per mile travelled, as follows, viz:-- Wm. Graham, from Toronto; James Hoy, George Webster, from Kingston; Louis Labonte, J.B. Asselin, J.B. Lajoie, E. Roy, E. Pelletier, R. Baillie, from Montreal; J.B. Pelletier, Pierre Bousquet, from L'Assomption.

"Your committee having considered the duties and responsibilities of Mr. A. Patrick, chief clerk of committees and controverted elections, and from the testimony borne to the efficiency of that officer by Mr. Speaker, and also by the chairman of the committee on printing, recommend that an increase be made to Mr. Patrick's salary of 50L per annum.

"Your committee considering the onerous duties discharged by the Sergeant-at-Arms, under the rules adopted by the House, which have been discharged by him, in a most satisfactory manner, deem it expedient to place that officer's salary on an equality with the officers of his rank, and that his salary be increased to three hundred pounds; and that the increase to the above salaries do commence from the first January last.

"Your committee also recommend that those junior clerks who were placed on the permanent list of the House by the report of this committee of 28th October last, on a salary of 150L a year, having previously received three dollars per day, and having, in consequence of the unusual length of the session, suffered considerable loss, be granted the sum of fifty pounds each, viz: W. Wilson, W.B. Ross, Charles Langevin, Herman Poetter, A. Laperiere."¹

MR. MACKENZIE did not think it a time, when farmers were destitute even of seed grain, to increase the public burdens by raising the salaries of their officials. He therefore moved in amendment, that the paragraphs granting a salary of 300L to

the Sergeant-at-Arms, and of 50L each, as extra compensation to five Junior Clerks, who receive 150L a year each besides, be expunged from the said report.²

MR. FOLEY thought it but justice to raise salaries, as with the rise of the price of all the necessities of life, a salary of 300L was not more than an equivalent to 200L, twelve or eighteen months ago.³

MR. CHISHOLM stated that the Sergeant at Arms, in being entrusted with the oversight of the contingencies of the House, had had a large accession to his duties, and had saved the House more in that department than it was now proposed to add to his salary.⁴

The amendment was negatived⁵.

(1101)

The Order of the day for taking into consideration the Sixteenth Report of the Standing Committee on Contingencies, being read;

The House proceeded accordingly to take the said Report into consideration.

And the same being again read;

Mr. Chisholm moved, seconded by Mr. Thomas Fortier, and the Question beind (sic) proposed, That this House doth concur with the Committee in the said Report;

Mr. Mackenzie moved in amendment to the Question, seconded by Mr. Darche, That all the words after "That" to the end of the Question be left out, and the words "the said Report be amended, by leaving out the paragraphs granting a Salary of Three hundred pounds to the Serjeant-at-Arms, and of Fifty pounds each as extra compensation to five Junior Clerks who receive One hundred and fifty pounds a year each besides" added instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bourassa, Darche, Jean B.E. Dorion, Mackenzie, and Marchildon.--(5.)

NAYS.

Messieurs Aikins, Bellingham, Bowes, Brown, Cameron, Cartier, Casault, Chabot, Chapais, Chisholm, Christie, Church, Cooke, Cook, Crawford, Daly, Delong, Ferres, Ferrie, Foley, Thomas Fortier, Octave C. Fortier, Fournier, Gill, Hartman, Laberge, Loranger, Lumsden, Roderick McDonald, Sir A.N. MacNab, McCann, Matheson, Murney, Niles, Papin, Patrick, Powell, Rhodes, Robinson, Roblin, Sanborn, Scatcherd, Shaw, Solicitor General Smith, James Smith, Stevenson, and Turcotte.--(47.)

So it passed in the Negative.

And the Question being again proposed, That this House doth concur with the Committee in the said Report;

Mr. Brown moved in amendment to the Question, seconded by Mr. Darche, That all the words after "That" to the end of the Question be left out, in order to add the words "the said Report be referred back to the Standing Committee on Contingencies for re-consideration" instead thereof;

And the Question being put on the Amendment; the House divided:--And it passed in the Negative.

And the Question being put; the House divided: and the names being called for, they were taken down, as follow:--

(1101-1102)

YEAS.

Messieurs Aikins, Bellingham, Biggar, Bowes, Brodeur, Cameron, Cartier, Casault, Chabot, Chapais, Chisholm, Christie, Cooke, Cook, Crawford, Ferres, Ferrie, Foley, Thomas Fortier, Octave C. Fortier, Fournier, Gill, Hartman, Lemieux, Loranger, Lumsden, Attorney General Macdonald, Roderick McDonald, Sir A.N. MacNab, McCann, Matheson, Munney, Niles, Patrick, Powell, Rhodes, Robinson, Roblin, Rolph, Sanborn, Scatcherd, Shaw, Solicitor General Smith, Stevenson, Terrill, and Turcotte.--(46.)

(1102)

NAYS.

Messieurs Bourassa, Brown, Church, Darche, Delong, Jean B.E. Dorion, Dufresne, Mackenzie, Marchildon, Munro, and Papin.--(11.)

So it was resolved in the Affirmative.

The Order of the day for the second reading of the Bill to encourage Ship-building within this Province, being read;

The Bill was accordingly read a second time; and referred to a Select Committee, composed of the Honorable Mr. Chabot, Mr. Alleyne, Mr. Solicitor General Ross, Mr. Loranger, and Mr. Papin, to report thereon with all convenient speed; with power to send for persons, papers, and records.

MR. MACKENZIE moved that the bill to abolish the property qualification of members of the Legislative Assembly be now read the second time.⁶

MR. CAMERON objected to the motion being put, as the question had already been decided this session by a vote on one of the clauses in the Legislative Council Bill.⁷

The objection was over-ruled, and the motion having been put to the vote, was negatived⁸.

(1102)

The Order of the day for the second reading of the Bill to abolish the property qualification of Members of the Legislative Assembly, being read;

Mr. Mackenzie moved, seconded by Mr. Christie, and the Question being put, That the Bill be now read a second time; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Aikins, Bourassa, Brown, Bureau, Chabot, Christie, Darche, Desaulniers, Jean B.E. Dorion, Foley, Fournier, Hartman, Labelle, Laberge, Langton, Mackenzie, Papin, Powell, Prévost, Sanborn, Scatcherd, Somerville, Turcotte, Valois, and Wright.--(25.)

NAYS.

Messieurs Biggar, Bowes, Brodeur, Cameron, Cartier, Casault, Cauchon, Chapais, Church, Clarke, Cooke, Crawford, Crysler, Daly, Jean E. Daoust, Delong, Dufresne, Ferres, Thomas Fortier, Octave C. Fortier, Gill, Gould, Laporte, Lemieux, Loranger, Macbeth, Attorney General Macdonald, Roderick McDonald, Sir A.N. MacNab, Merritt, Munro, Niles, Poulin, Rhodes, Robinson, Roblin, Solicitor General Ross, Solicitor General Smith, Spence, Stevenson, Terrill, and Thibaudeau.--(42.)

So it passed in the Negative.

The Order of the day for the second reading of the Bill to regulate the proceedings on forced Licitations, and to give them the effect of Sheriff's Sales (Décrets,) being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for To-morrow.

(1103)

The Order of the day for the second reading of the Bill to provide for the Public Printing and Legal Advertizing, being read;

Mr. Mackenzie moved, seconded by Mr. Brown, and the Question being proposed, That the Bill be now read a second time;

The Honorable Mr. Spence moved in amendment to the Question, seconded by the Honorable Mr. Cayley, That the word "now" be left out, and the words "this day six months" added at the end thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bowes, Brodeur, Cameron, Cartier, Casault, Cauchon, Cayley, Chabot, Chapais, Church, Clarke, Cooke, Crysler, Daly, Jean B. Daoust, DeLong, Desaulniers, Dufresne, Ferres, Octave C. Fortier, Fournier, Gill, Labelle, Langton, Laporte, Lemieux, Loranger, Macbeth, Sir A.N. MacNab, Poulin, Rhodes, Roblin, Solicitor General Ross, Solicitor General Smith, James Smith, Somerville, Spence, Stevenson, Terrill, Thibaudeau, and Turcotte.--(41.)

NAYS.

Messieurs Aikins, Biggar, Bourassa, Brown, Bureau, Christie, Darche, Jean B.E. Dorian, Fergusson, Foley, Gould, Hartman, Laberge, Larwill, Roderick McDonald, Mackenzie, Munro, Papin, Prévost, Scatcherd, Valois, and Wright.--(22.)

So it was resolved in the Affirmative.

Then the main Question, so amended, being put;

Ordered, That the Bill be read a second time this day six months.

The Honorable Mr. Cartier, one of Her Majesty's Executive Council, presented, pursuant to an Address to His Excellency the Governor General,--Return to an Address of the Legislative Assembly to His Excellency the Governor General, of the 21st ultimo, for a Return of the persons who have applied to be placed on the Fund provided by Law for the support of Superannuated Teachers of Common Schools.

For the said Return, see Appendix (B.)

Ordered, That the said Return be printed for the use of the Members of this House.

The Order of the day for the second reading of the Bill to amend the 14 & 15 Vic. cap. 14, intituled, "An Act to provide for the payment of Jurors in Upper Canada, by providing that a City included within a County for Judicial purposes shall pay a fair proportion of the sum required for the payment of Jurors in such County," being read;

The Bill was accordingly read a second time; and referred to a Select Committee, composed of Mr. Hartman, Mr. Solicitor General Smith, the Honorable Mr. Cameron, Mr. Langton, and Mr. Christie, to report thereon with all convenient speed; with power to send for persons, papers, and records.

The Order of the day for the second reading of the Bill to alter and extend the

(1104)

limits of the Quebec Circuit by including therein the Parish of St. Michel de Belle-chasse, being read;

The Bill was accordingly read a second time; and referred to a Select Committee, composed of Mr. Pouliot, the Honorable Mr. Attorney General Drummond, Mr. Octave Cyrille Fortier, Mr. Thibaudeau, and Mr. Casault, to report thereon with all convenient speed; with power to send for persons, papers, and records.

The Order of the day for the second reading of the Bill to amend the Lower Canada School Acts, being read;

The Bill was accordingly read a second time; and referred to a Select Committee, composed of Mr. Somerville, Mr. Terrill, Mr. Sanborn, the Honorable Mr. Cartier, and Mr. Jean Baptiste Eric Dorion, to report thereon with all convenient speed; with power to send for persons, papers, and records.

The Order of the day for the second reading of the Bill to amend the Law of Evidence in Lower Canada, being read;

The Bill was accordingly read a second time; and referred to a Select Committee, composed of Mr. Alleyn, Mr. Solicitor General Ross, the Honorable Mr. Chauveau, Mr. Papin, and Mr. Casault, to report thereon with all convenient speed; with power to send for persons, papers and records.

The Order of the day for the second reading of the Bill to repeal the Act 16 Vic. cap. 189, and to regulate travelling on Public Highways in Upper Canada, being read;

The Bill was accordingly read a second time; and referred to a Select Committee, composed of Mr. Hartman, Mr. Roblin, Mr. Scatcherd, Mr. Stevenson, and Mr. Chisholm, to report thereon with all convenient speed; with power to send for persons, papers, and records.

The Order of the day for the second reading of the Bill to amend the Law regulating the property qualification of Justices of the Peace, by reducing the amount of such qualification, being read;

Ordered, That the said Order of the day be discharged.

The Honorable Sir Allan N. MacNab, one of Her Majesty's Executive Council, delivered to Mr. Speaker a Message from His Excellency the Governor General, signed by His Excellency.

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered; and is as followeth:--

Edmund Head.

The Governor General transmits to the Honorable the Legislative Assembly, the copy of a Despatch from Her Majesty's Secretary of State for the Colonies, respecting the Ordnance Lands in Canada.

Government House,

Quebec, 12th May, 1855.

(Copy.) No. 16.

Downing Street, 13th April, 1855.

Sir,--Her Majesty's Government have long had under their consideration the necessity of establishing a clear understanding with the Government of Canada on the

subject of the measures mutually to be taken for the Military defence of the Province, and the subsidiary arrangements requisite to that end.

2. Although Canada is happily remote from the direct influence of those hostil-

(1105)

ities in which this Country is at present engaged, it becomes now, even more necessary than before, that the available Military resources of the Empire in general, and the purposes to which they are applicable, should be fully ascertained.

3. Relying on the loyalty and patriotism of the Inhabitants of Canada, no less than on their rapid advance in all that constitutes the strength of a community, Her Majesty's Government have not scrupled to reduce the Military force stationed in the Colony in time of peace much below the amount which in former times had been thought advisable; and the result of the measures thus taken has hitherto fully justified their confidence. The course of events of recent years has more and more fully developed the attachment of the Canadian people to the institutions under which they live: the gratifying proofs which have been so lately acknowledged by me, of the deep interest which they take in the success of the Arms of Great Britain and her Allies in the present contest, have been strongly felt by all classes throughout these Kingdoms; and it is with a feeling of deep satisfaction that we are enabled to congratulate ourselves on the union thus cemented between communities so far severed by local position, but joined by the ties of common freedom and of loyal attachment to one Sovereign.

4. Her Majesty's Government propose to make no change in the principle of the relations now subsisting between this Country and the Province as regards its Military defence. The Imperial Government will remain charged as before with the supply and maintenance of Military force for the defence of Canada, as of every other part of Her Majesty's dominions, in the event of its being menaced by foreign arms. They propose, also, to continue to maintain the force now existing in Canada, or whatever force may be strictly required, for the Military occupation of the few posts of first-class importance, so as to form a nucleus for the defence of the Province.

5. For all beyond this, they propose to rely on the loyalty and military spirit of the Province itself. They are fully aware that if the contingency, now happily remote, should ever occur, of an invasion of Canada by foreign arms, the most valuable aid to the reinforcement of Troops which could be supplied from this Country, would be afforded by the courage and numbers of an organized Militia, such as her great population might now enable her to supply. And they are equally persuaded, that if the tranquillity of the community should be menaced from within, the necessary force for the maintenance of order, both Civil and Military, if the latter should be required, will be best provided by the Province herself.

6. With respect to the Lands now held by the British Government for Military purposes, much correspondence has at different times taken place between the Department and the Colonial Government; and I was in hopes to have received before this time, a report from the Province, which Lord Elgin was requested to furnish, classifying these Lands in such a manner as might enable Her Majesty's Government to arrive at some positive decision as to their ultimate disposal. Although this report has not yet been received, I have within the last few days been placed in possession of a printed "Report of the Commissioners appointed to investigate and report upon the best means of re-organizing the Militia of Canada," which goes far towards supplying the deficiency. Having consulted the Home Authorities in more immediate charge of these Lands, I believe that the information in the possession of Her Majesty's Government is already nearly sufficient to settle the details of the plan, when an agreement has been established as to its outlines.

7. These Ordnance Lands are by no means all of them Crown Reserves, but, as I find noticed in the documents before me, many of them have been purchased at considerable cost to the Imperial Treasury.

(1106)

8. It is not, however, the intention of Her Majesty's Government to make any distinction between Reserves and purchased Lands: they wish to deal with the entire property solely with a view to the permanent interests of the Province.

9. With this view it appears to them that the Ordnance Lands at Quebec, Montreal, and Kingston, should be retained for purposes of defence, in the hands of the Imperial Government. There may perhaps be portions of these Lands not required for present or future Military use, in which case these may be the subject of future arrangement; but of this I cannot, with the information as yet before me, speak with certainty.

10. There is a second class of Lands not situated at these posts, and which will not be permanently occupied by Her Majesty's Troops, but which, in the opinion of Military Judges, will be of importance for the defence of the Province in case of invasion. On some of them, considerable sums have been expended with this view. Lands of this class it is proposed to make over to the Canadian Government for occupation and present use; but with a stipulation that they shall be kept available for Military purposes, together with any buildings really requisite for similar purposes, in case they should be required at any future time, for the defence of Canada.

11. There is, lastly, a third class comprising Lands which it is not important to retain for Military purposes. These it is proposed to make over at once, and unconditionally, to the Canadian Government.

12. Should your Government think proper to devote the funds which may arise from their sale or other use, to internal defences, as proposed in the Report to which I have referred, Her Majesty's Government would regard such an appropriation of these funds with much satisfaction, but they do not wish to impose it as a condition of the transfer.

13. I have already said that Her Majesty's Government are now in possession of materials which go a long way towards enabling them to effect this classification; but it would be more satisfactory if they had your assistance, in such a manner as you may yourself, with the advice of your Executive Council, suggest, towards the settlement of the details.

14. Whenever final instructions on this subject are conveyed, pending questions touching the disposal of Military stores, may also be arranged.

15. It is necessary to add that any surrender of these Lands by Her Majesty's Government must of course be subject to existing engagements respecting them: such as those entered into, in some few instances, with Pensioners for their location.

I have, &c.,

Governor Sir E. Head, Bart.

&c., &c., &c.

(Signed,)

G. Grey.

Sur motion de MR. CHABOT,⁹

(1106)

Ordered, That the said Message, and accompanying Despatch, be printed for the use of the Members of this House.

The Honorable Mr. Cayley, one of Her Majesty's Executive Council, delivered to Mr. Speaker a Message from His Excellency the Governor General, signed by His Excellency.

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered; and is as followeth:--

Edmund Head,

The Governor General recommends to the Legislative Assembly, the accompanying Supplementary Estimates of sums required for the service of the present year.

Government House,

Quebec, 14th May, 1855.

(1107)

For the said Supplementary Estimates, see Appendix (D.)

Sur motion de MR. INSP. GEN. CAYLEY,¹⁰

(1107)

Ordered, That the said Message, and Supplementary Estimates be referred to the Committee of Supply.

Ordered, That the said Message and Supplementary Estimates, be printed for the use of the Members of this House.

The Order of the day for the second reading of the Bill to vest in Municipalities in Upper Canada, original allowances for Roads within their respective boundaries, being read;

Mr. Foley moved, seconded by Mr. Scatcherd, and the Question being proposed, That the Bill be now read a second time;

Mr. Solicitor General Smith moved in amendment to the Question, seconded by the Honorable Mr. Attorney General Macdonald, That the word "now" be left out, and the words "this day six months" added at the end thereof;

And the Question being put on the Amendment; the House divided:--And it was resolved in the Affirmative.

Then the main Question, so amended, being put;

Ordered, That the Bill be read a second time this day six months.

The House, according to Order, resolved itself into a Committee on the Bill to amend the Criminal Law of Canada; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Loranger reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be received To-morrow.

The Order of the day for the second reading of the Bill to give summary protection to persons printing, distributing, or publishing of Parliamentary Papers, being read;

The Bill was accordingly read a second time; and referred to a Select Committee, composed of Mr. Solicitor General Smith, Mr. Loranger, Mr. Bureau, Mr. Stevenson, and the Honorable Mr. Robinson, to report thereon with all convenient speed; with power to send for persons, papers, and records.

The Order of the day for the second reading of the Bill to facilitate the issue of Commissions and securing the attendance of Witnesses in suits pending or to be brought in the several Courts of Record of Upper Canada, being read;

Mr. Solicitor General Smith moved, seconded by the Honorable Mr. Attorney General Macdonald, and the Question being put, That the Bill be now read a second time; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Alleyn, Bourassa, Brodeur, Bureau, Cartier, Casault, Cayley, Chapais, Chauveau, Church, Crysler, Daly, Laraine, DeLong, Desaulniers, Jean B.E. Dorion, Dufresne, Ferres, Thomas Fortier, Journier, Gill, Labelle, Laberge, Langton, Laporte, LeBoutillier, Attorney General Macdonald, McCann, Marchildon, Matheson, Papin, Pouliot, Prévost, Rhodes, Robinson, Roblin, Solicitor General Ross, James Ross, Sanborn, Shaw, Solicitor General Smith, James Smith, Spence, Stevenson, Terrill, Thibaudeau, Turcotte, and Valois.--(48.)

(1108)

NAYS.

Messieurs Aiking, Brown, Cameron, Chabot, Cooke, Crawford, Hartman, Lumsden, Murney, Joseph C. Morrison, Roderick McDonald, and Patrick.--(12.)

So it was resolved in the Affirmative.

The Bill was accordingly read a second time; and referred to a Select Committee, composed of Mr. Solicitor General Smith, Mr. Lyon, Mr. Powell, Mr. Bureau, and Mr. Terrill, to report thereon with all convenient speed; with power to send for persons, papers, and records.

The Order of the day for the second reading of the Bill to provide for the establishment of Superior Elementary Schools in certain Parishes and Townships in Lower Canada, being read;

Ordered, That the said Order of the day be discharged.

Ordered, That the Bill be withdrawn.

The Order of the day for the second reading of the Bill to extend the limits and to change the chief place of the Circuit of Arthabaska, being read;

The Bill was accordingly read a second time; and referred to a Select Committee, composed of Mr. Jean Baptiste Eric Dorion, Mr. Turcotte, Mr. Prévost, the Honorable Mr. Chabot, and Mr. Sanborn, to report thereon with all convenient speed; with power to send for persons, papers, and records.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

Mr. Speaker,

The Legislative Council have passed the Bill, intituled, "An Act to incorporate the Imperial Fire, Marine and Life Insurance Company," without any Amendment: And also,

The Legislative Council have passed the Bill, intituled, "An Act to incorporate the L'Assomption River and Railroad Company," with several Amendments, to which they desire the concurrence of this House.

And then he withdrew.

The Order of the day for the House in Committee on the Bill to amend the Act to abolish the Right of Primogeniture, and to afford relief to parties succeeding to the Real Estate of persons dying intestate in certain cases in Upper Canada, being read;

Ordered, That the said Order of the day be discharged.

The Order of the day for the second reading of the Bill to remove doubts as to the true application of the Act to provide for the recovery of certain rates and taxes intended to be imposed by certain By-Laws of the late District Councils or County Councils in Upper Canada, being read;

The Bill was accordingly read a second time; and referred to a Select Committee, composed of Mr. Roderick McDonald, Mr. Langton, Mr. Hartman, Mr. Stevenson, and Mr. Crawford, to report thereon with all convenient speed; with power to send for persons, papers, and records.

MR. MACKENZIE moved the second reading of the bill to establish Conciliation Courts in Upper Canada. On two former occasions he had introduced the bill. Once it had been thrown out on the second reading, and the second time, after carrying it by a good majority through that reading, the lawyers in the house rallied, and threw it out in committee of the whole, which rose without reporting, and he had not even the satisfaction of seeing the names of those voting against it recorded. The object was, if possible, to keep the people out of the law courts, with their enormous expenses. It was no new principle, but had been in force these many years in Denmark and France.¹¹

MR. AT. GEN. J.A. MACDONALD opposed the bill, and moved it should be read a second time that day three months. All that was sought to be gained by that bill could be obtained now much more easily by arbitration in Upper Canada. Some slight alteration in the law of arbitration would render it almost perfect, and but for the length of the session and the burthen of other business brought before Parliament, he would have introduced a bill on the subject.--Courts of this nature should be like arbitration, quite voluntary. The provisions of this bill amounted to a denial of justice, for every man had a right to appeal to the Courts of Law to obtain justice if he chose--this bill said he should not do so except at a disadvantage, unless he first tried the conciliation Court. The certainty respecting the law and the mode of its administration was almost better than good laws themselves, for men at least know how to conduct their affairs according to law. But these conciliation courts would destroy that certainty.¹² ((He)) said that, even if the principles of the bill were good, the details were so confused, and so ill-adapted to the existing state of things, that it could never be made to work.¹³

MR. BROWN thought there was much truth in the remarks which had fallen from the Attorney General; but, perhaps, if a second reading were taken and the bill referred to a select committee, it might be so altered as to make a more perfect system of arbitration.¹⁴ He thought there was at present a great absence of machinery for carrying out judgments in voluntary arbitrations, and that the law in that respect might be very much improved.¹⁵

MR. AT. GEN. J.A. MACDONALD said they could do nothing of that sort with this bill. The system of arbitration was, as he had said, now almost perfect. Any two men having a dispute, could refer it to a third party, whose decision would be binding, and might, by a simple motion, without the formalities or expenses of a suit, be made a rule of one of the Superior Courts and executed by it. A simple verbal reference or one written in the most informal manner was sufficient between individuals. Of course, between Corporations such references must be in writing with their seals attached. What was wanted to perfect the system was, reference by the Courts of matters in dispute to parties versed in such affairs, instead of, as now, referring them to juries quite ignorant of them--such as a case concerning commercial transactions to a jury of farmers, or agricultural matters to town bred jurors.¹⁶

MR. CAMERON said he believed there was no more fruitful source of litigation and expense than these attempts at Arbitration Courts.--They had once a fair trial in

Upper Canada.--The act which provided for the appointment of boundary line Commissioners to decide questions respecting disputed boundary lines, had created such a system. It had been found most expensive to work it, even when legal men were not employed. In one case the costs rose as high as 500L. At last there was a general outcry for its repeal: it was repealed, and no one has ever thought of reviving it. This was a fair trial of the system, showing it was not possible to work it.¹⁷

MR. LORANGER said the Courts of Conciliation in France, were Courts presided over by lawyers of standing, not such as those proposed by the hon. member. The reference to their decision was purely voluntary, and their decision not in any way binding. If as a lawyer, he resided in Upper Canada and desired to promote expensive litigation, he was sure he could not promote it more effectually than by aiding to pass this bill. Besides the endless trouble always attending such arbitrations, this bill was so utterly unworkable in its details that it would promote suits, not repress them.¹⁸

The amendment was carried¹⁹.

(1108)

The Order of the day for the second reading of the Bill to establish Courts of Conciliation in Upper Canada, being read;

Mr. Mackenzie moved, seconded by Mr. Roderick McDonald, and the Question being proposed, That the Bill be now read a second time;

(1109)

The Honorable Mr. Attorney General Macdonald moved in amendment to the Question, seconded by Mr. Solicitor General Smith, That the word "now" be left out, and the words "this day three months" added at the end thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Alleyn, Bellingham, Bowes, Brodeur, Cameron, Cartier, Casault, Cayley, Chabot, Chapais, Chisholm, Church, Crawford, Daly, Desaulniers, Dionne, Attorney General Drummond, Ferres, Thomas Fortier, Fournier, Gill, Labelle, Laporte, Lemieux, Loranger, Macbeth, Attorney General Macdonald, McCann, Matheson, O'Farrell, Patrick, Pouliot, Roblin, Solicitor General Ross, Shaw, Solicitor General Smith, Spence, Stevenson, Terrill, Thibaudeau, and Turcotte.--(41.)

NAYS.

Messieurs Aikins, Biggar, Bourassa, Brown, Bureau, Cooke, Charles Daoust, Darche, Jean B.E. Dorion, Dufresne, Hartman, Roderick McDonald, Mackenzie, Marchildon, Merritt, Papin, Poulin, Prévost, Rhodes, Rolph, Scatcherd, and Valois.--(22.)

So it was resolved in the Affirmative.

Then the main Question, so amended, being put;

Ordered, That the Bill be read a second time this day three months.

The Order of the day for the second reading of the Bill to give Mechanics and others a Lien on buildings for work done by them to or upon the same, being read;

Ordered, That the said Order of the day be discharged.

Ordered, That the Bill be withdrawn.

The Order of the day for the second reading of the Bill to amend the Provincial Statute 25 Geo. 3 cap. 2, being read;

Ordered, That the said Order of the day be discharged.

Ordered, That the Bill be withdrawn.

The Order of the day for the second reading of the Bill to amend the Act 14 & 15 Vic. cap. 96, to facilitate the performance of the duties of Justices of the Peace, being read;

The Bill was accordingly read a second time; and referred to a Select Committee, composed of Mr. Terrill, the Honorable Mr. Attorney General Drummond, the Honorable Mr. Cameron, Mr. Felton, and Mr. Sanborn, to report thereon with all convenient speed; with power to send for persons, papers, and records.

The House proceeded to take into consideration the report of the select committee on reporting and publishing the debates of the House. The report recommended, in substance, that tenders should be received for the printing and reporting of the debates; the reports to be taken by first-class stenographic or phonographic writers, and revised by the speakers--2,500 copies being struck off for the use of members.²⁰

MR. POULIOT propose la prise en considération du rapport du comité spécial sur la proposition ayant pour objet de faire rapporter et publier les débats de la chambre. Il dit qu'il faut que les débats soient rapportés, afin que les votes des représentans soient expliqués à leurs électeurs, qui sont souvent surpris de voir voter les membres de telle ou telle manière. Le peuple doit connaître la conduite de ses représentans. Il est vrai que ((un)) certain journal de Montréal publie les débats, mais ils sont tronqués et les discours des adversaires politiques du parti qui publie ce journal ne sont pas publiés. Dans le district de Québec, il n'y a pas un seul journal français qui publie les débats! Il n'y a que la Montagne qui fasse publier les débats, et il n'y a que les discours des membres de la Montagne qui soient publiés. Cela est très regrettable, car beaucoup de discours très éloquens se trouvent perdus pour le public. Il faut donc, pour remédier à cela, que les débats soient publiés par la chambre.²¹

MR. LORANGER moved that the report be modified by adding to the sixth paragraph the following words: "Provided, however, that the stenographic or phonographic writers shall take down, verbatim, the debates reported by them, reserving to the members the right of striking out therefrom such parts as they may think useless, without altering the sense of their speeches."²² Il dit que si les rapporteurs avaient le droit d'analyser tous les discours, les orateurs seraient méconnaissables et se trouveraient tous de même force. Le style c'est l'homme, et lorsque les discours seront rapportés mot à mot, on reconnaîtra l'homme à son style, et on pourra juger s'il est supérieur à un autre. Autrement les lecteurs n'auraient qu'un squelette des plus beaux discours, et cela leur ôterait beaucoup de leur mérite. Si on veut donner à chaque discours le caractère d'éloquence et de raisonnement qui lui appartient et qu'il doit avoir, il faut qu'il soit rapporté mot à mot, et que le membre qui aura porté la parole puisse en retrancher ce qui sera inutile ou incorrect.²³ He went on to complain that the newspaper reports were got up by party men for party papers. They were right enough to do so, perhaps, but those who had no party organ at their command never had their views properly laid before their constituents.²⁴

MR. MARCHILDON was opposed to publishing the debates at the expense of the Province. He would suggest rather that a law be passed obliging the proprietors of all newspapers to publish an analysis of the speeches delivered in Parliament, instead of cumbering their columns with foreign news, in which the people of this Province had no direct interest. The reports in the newspapers at present were not so faithful as they should be, and the House should oblige the reporters to make them more correct. (Hear, hear.)²⁵

MR. FERRES.--There has not been for several years back honest debates of this House.--(Laughter). He begged pardon, he meant to say that for the last few years the debates of this House had not been honestly reported. The reports were one-sided and colored according to the particular bias of the reporters. It was necessary that the House should be reported fairly.²⁶

MR. LARWILL.--Are the Globe's reports inaccurate?²⁷

MR. FERRES.--Very far from it. He had read them and found them too lengthily, ably, and fairly reported. But there were some reporters in the gallery who had not reported truly, not from misapprehension, but purposely. (Cries of "Oh, oh!") It was only this session, Mr. Speaker, that an expression of the honorable and gallant knight, the leader of the Government, was totally misrepresented.²⁸ The gallant knight at the head of the Administration was made to say that the Coalition Government had been formed on no principle, while what he did say was that there was no change of principle.²⁹ When he reported some years ago, and afterwards when he had reporters in his employ, he had endeavored always to give a faithful report, to convey to readers a faithful idea of the debates, and instructed his reporters to do so.³⁰ With regard to the Globe's reporter, he would repeat, that his reports had been most faithfully given, and indeed, with greater fidelity than the reports of any other paper that had come under his eye. The torturing of an expression of the honorable and gallant knight, in the early part of the session, did the government no small injury. He had himself been misrepresented, and indeed, made to say, at the close of the first part of the session, the very opposite of what he really did say. For these reasons, he was certainly in favor of parliamentary reporters being employed by the House.³¹ The only question was as to the mode in which the thing should be done. The experiment might at least be tried for a session or two, of taking reporting out of the hands of party reporters, and placing it in the hands of reporters employed by the House, and connected with no party.³² It would not be necessary in that event to report at length every speech, as many speeches were not intended to be reported; but a reporter should be of no party and should not even be liable to the suspicion of wilful misrepresentation.³³ He hoped the report would be adopted, and the power left in the hands of the Government to employ a staff of reporters in the recess for the coming session.³⁴

MR. SANBORN, so far as his observations went, was inclined to the very opposite opinion. The tendency of the reporters was to report truly and he indeed was very much surprised at the general accuracy. It was neither necessary nor expedient to report everything an honorable member said. He did not think it wise to give the contract for both the printing and the reporting to the same party. Those who had given their attention to becoming adepts in reporting should be allowed to make a tender for that department although they might not have capital enough to tender for the printing.³⁵

MR. BROWN said the object of the Committee in recommending that the contract for both the printing and reporting should be in the hands of one party, was to obtain an undivided responsibility. If there were two separate contracts, each party would be continually throwing the blame of errors or delays on the other, and it would be difficult to fix the responsibility on either. The report now under consideration had been prepared by a committee consisting of Mr. Hincks, Mr. Pouliot, Mr. Langton, Mr. Cauchon and himself, as good a representation of the House in a matter of this sort, he believed, as could have been obtained, and much pains had been taken in drawing it up. His own opinion, however, was that such a system of Reporting was not wanted, and that it was far better to leave it as hitherto to private competition. He was quite sure that when the Seat of Government was removed from Quebec to Toronto, there would be no cause to complain of the reports in the newspapers. It was quite true that the debates at present did not give the speeches on both sides of the House with equal fullness. And for this reason, that it was quite impossible for any newspaper to give the whole, and if a selection had to be made it was but natural that a newspaper, while giving fair play to the opposite party, would take care that the views of its own friends would be fully brought out. It was only occasionally that this selection had to be made. In most cases it was sufficient to give a resume of the whole and then equal justice was rendered to all but when there was a long debate on some important subject, extending over one or two nights, it was impossible for newspapers to give the whole of the speeches, and if they did, assuredly the public would not read them. From considerable experience in this matter he could say that the reports now were longer than the public desired, and he believed that during ((the)) last few years³⁶ the length of the parliamentary reports in the Globe had done it an injury, because the public did not desire to read them at that length, while, however, the reports were cut down. He did not believe that any hon. members were dishonestly mis-represented.³⁷

MR. FERRES.--Yes, I have been.³⁸

((MR. BROWN continued:)) When the House went to Toronto, they might get more accurate reports, and published more rapidly, being brought out on the following morning, but they could not expect much fuller reports in the newspapers than at present. If it was desired then to have verbatim reports, some other system must be adopted--although very few members would like to see printed such strictly verbatim reports of their speeches, as was contemplated by the hon. member for Laprairie.³⁹

MR. MACKENZIE.--I would!⁴⁰

MR. BROWN.--The hon. member for Haldimand says that he would. He ventured to say that if one of the speeches of that hon. gentleman was printed word for word as it was delivered, it would be as complete a piece of nonsense as he ever saw. (Hear, hear, and great laughter.) It was all very well for hon. gentlemen to talk about verbatim reports, and to complain of the reporters, but his experience bore him out in saying that the members of this House were much more indebted to the reporters, than the reporters were to them. He recollected a very good instance of this. One of the most correct speakers of the House, Col. Prince, made a complaint on several occasions that the reporters did not give his speeches verbatim. One excellent reporter, at that time engaged on the Globe, one of the best that ever was in Canada, Mr. Sheppard, resolved to give the hon. gentleman his wish, and reported one of his speeches verbatim, and when printed word for word as it was delivered, it was certainly an extraordinary production⁴¹ ((OR)) nothing could have shown up the hon. gentleman in a more ridiculous light.⁴² (Laughter.) A thoroughly verbatim

report therefore would not be desired by any one. And the length to which it would extend would also preclude this. An ordinary speaker would speak some four columns an hour--a few members, himself and three or four others, as much as five columns. Think of 59 or 60 columns of a newspaper filled with one day's debates! And if there was a report of that fulness, there would be such an unutterable amount of trash in it, that nobody would read it.⁴³ It would be too voluminous even for convenient reference.⁴⁴ He believed the best reports in the world were those of the House of Commons, in which all the principal speeches were given,--not the speeches of the principal men, but the principal speeches, those on which the debate turned, the rest being condensed in the way that the good sense of the reporters suggested. And this was the best course, when they had good reporters, men of good talent,--real reporters in fact. Talking about unfairness--a more honorable, upright set of men than the newspapers reporters, as a class, he never met in his whole life. He had had a good deal to do with them, and he had never been in a position to say to one of them--I wish you to do so and so. He had never found them tolerating any interference with their reports. Expressions might be changed, but any material interference with their reports would have been considered such an infringement on their position, that they would have resented it at once. He felt quite sure that, if they procured a regular staff of short-hand reporters, they would get as accurate reporters as could be desired, free from all political or other bias. But it was for the House to consider whether the better course was not to leave the reporting of the debates to newspaper competition.⁴⁵ At Quebec the circulation of the newspapers was necessarily small, the English population was not large, and the French not the best patrons of newspapers--consequently they could not afford to keep up the large staff required, such as was maintained by the Toronto and Montreal papers.⁴⁶ When the seat of Government was removed to Toronto, where both political parties were well represented in the press, a great improvement would doubtless be effected; if speeches of hon. gentlemen were not found in one newspaper, they would be found in another. If inaccuracies did occur, there would be two or three reports, and one would correct the other.⁴⁷ Now an additional reason for shortening them was that they were old news before they reached the West. The telegraph had anticipated the result.⁴⁸ But, if it was considered necessary to have a more full report, so that hon. gentlemen might have their eloquence fully daguerreotyped, and bound into volumes, the plan suggested by the Committee he looked upon as the best that could be carried out. The expense of the scheme would probably amount to about 2,500L per session, or less, for 2,500 copies of each day's debate. He had referred to the system of having strictly verbatim reports. The absurdity of that system could not be better illustrated than by its effects on the debates of the American Congress. Who ever heard of the debates of Congress? Who ever waded through them? He believed the fact was that one half of the speeches were never delivered in Congress, but were written out and printed without having been spoken, in order to be sent by members to their constituents. As a record they were of no practical value.⁴⁹

La motion de Mr. Loranger est alors mise aux voix et perdue sur division.⁵⁰

MR. POST. GEN. SPENCE concurred with much that had fallen from the honorable member for Lambton and other members. He could not agree with the remarks of the honorable member for Missisquoi. He did not believe that the reports were dishonestly got up. On the contrary, he⁵¹ could not refrain from bearing his testimony to the general accuracy of the reports of the debates in this House, so far as he had had an opportunity of reading them. He thought they might be proud in Canada of their press as a body. If they looked at the columns devoted to reports in England

and to the reports given here, he did not think that Canada had anything to be ashamed of. It was a question, therefore, whether the present plan having been so successful, they should adopt another, and expect at the public expense to be more generously dealt by in the matter of reporting than by an untrammelled press. He was in favor of the present order of things, leaving the Parliamentary reporting to be regulated by the rules of ordinary competition⁵². The same rule replied (sic) to reporting as to any other business. With regard to verbatim speeches, he would only say that they would not be read. Books which contained the most mind in the least space were most read, and the briefest speeches were ordinarily the most pertinent.... True, many speeches had been condensed, but that was a positive favor conferred on the speaker.⁵³ He therefore moved that the further consideration of the report be deferred till this day six months.⁵⁴

MR. FERRES knew this was an excellent opportunity to make a little bunkum capital, and that most honorable members desired to be on good terms with the reporters and the press generally. He thought the speeches of honorable members on this subject hardly accorded with their private conversations. For his part, he was so much in the habit of dealing frankly with all subjects, and speaking his mind openly on all occasions, that he could not help doing so now. He might limit the downright dishonesty to one reporter--though none of the reports were correct--but one had purposely misrepresented him, and he had proved it. He continued to speak against the present reports, and in favor of the new scheme.⁵⁵

MR. BELLINGHAM said, admitting all that was said by the member for Missisquoi, the dishonesty of one reporter was no reason for condemning the whole. The body of reporters would themselves condemn any one who disgraced their calling. He was much struck with what had fallen from the honorable member for Lambton, who was perhaps the most competent authority on this point in the House. What effect would the new system have in an economical point of view? Would it tend to restrain unnecessary talking, or would it not on the contrary rather promote it?⁵⁶ ((He)) said the member for Lambton had omitted allusion to one point, on which he would have liked to have heard his opinion. He had referred to members of Congress getting speeches printed which they had not spoken; and it had occurred to him, that by adopting the same system here, they might save a great deal of time for actual business, allowing members to print and distribute their speeches, instead of delivering them in the House, so as to delay the public business. (Hear, hear.)⁵⁷ He thought the better plan was to leave it as now to newspaper competition.⁵⁸

MR. LORANGER comprend que ceux qui ont des rapporteurs, comme l'hon. maître des postes et les membres de l'opposition, qui rapportent tous leurs discours, soient opposés à l'adoption du rapport de ce comité; mais ceux qui n'ont aucun écho dans la presse, et qui sont soumis aux volontés des rapporteurs, qui rapportent leurs discours ou ne les rapportent pas à volonté, doivent désirer que le projet du comité soit adopté. Un rapporteur est payé par un journal et il ne rapporte que les discours qu'il lui plaît. Quand c'est un ami politique qui parle, il lui fait un long discours; mais quand c'est un adversaire qui parle, le rapporteur dit qu'il a parlé dans tel sens, sans rapporter son discours du tout. Il parle moins pour les rapports anglais que pour les rapports français. Les discours français sont amoindris ou falsifiés par les rapporteurs quand il((s)) ne leur plaisent point. Est-ce que les membres sont ici pour parler seulement des galeries, et ne faut-il pas parler pour être entendus de l'opinion publique, qui est le tribunal devant lequel nous devons comparaître? Les rapports qui sont donnés ne valent rien ou

presque rien, car le discours le mieux prononcé n'est pas préférable à celui qui est mal dit, car ils sont arrangés par les rapporteurs de manière à être tous égaux. Il trouve cela naturel, mais cela montre le vice du système actuel. Quand il voit le grand nombre d'impressions qui se font chaque année inutilement, il est surpris qu'on s'oppose à l'adoption de ce rapport. Tels qu'ils sont faits aujourd'hui, les rapports ne font aucune impression sur l'opinion publique, parce qu'on sait qu'ils sont incorrects ou faux, et le seul moyen d'obvier à cet inconvénient, c'est de les faire publier par la chambre elle-même. Il ne faut pas regarder à cette dépense, parce que le peuple y gagnera sous tous les rapports.⁵⁹ In the States, in New Brunswick, and in Great Britain, they had official reports. Why not here in Canada? Surely they heard enough eloquence in that House to render the debates worth reporting and preserving⁶⁰.

MR. TURCOTTE est en faveur de l'adoption du rapport du comité, parce que cela n'engage à rien. Si les dépenses étaient trop considérables, lorsque le système aurait été essayé, la chambre ne serait pas obligée de les continuer. Les reproches faits par l'hon. membre pour Laprairie, que les journaux français ne publient pas les débats au long, sont bien mérités; mais ces reproches ne s'appliquent qu'à un parti, et ce parti est la parti ministériel. Il y a une grande indifférence, une indifférence coupable sous ce rapport, dans le parti ministériel. Ceux des ministres bas-canadiens qui parlent en français, car cela leur arrive rarement, devraient au moins faire publier leurs discours dans les journaux qui ont le patronage du gouvernement. Il le dit à l'honneur des membres de l'opposition: ils font des sacrifices, eux, pour faire rapporter leurs discours dans leur journal, et il serait ridicule pour eux de faire rapporter tous ceux de leurs adversaires. Cela a une grande influence sur l'opinion publique qui marche dans le sens de ces rapports, tandis qu'elle abandonne ceux qui laissent croupir le parti dans l'indifférence et l'inactivité. Il n'y a pas de coeur, il n'y a pas d'énergie dans le parti ministériel, comme dans celui de l'opposition; il ne sait pas faire un sacrifice pour une cause comme l'opposition en fait. Si le gouvernement est convaincu que les rapports agissent fortement sur l'opinion publique, il ne doit pas faire rejeter ce rapport, mais il doit le faire accepter. Il ne pense pas que le système recommandé puisse réussir, mais il est bon d'en faire l'essai, et si cela coûte trop cher, on l'abandonnera. Dans l'intérêt du parti qu'il soutient, il faut faire quelque chose, car sans cela le parti va mourir et disparaître, comme en effet il disparaît tous les jours pour faire place à un parti plus énergique et plus vigoureux. Depuis le commencement de la session, il n'y a pas moins de vingt-cinq ou trente électeurs de son comté qui ont souscrit à un journal français de Montréal, non pas parce qu'ils partageaient ses principes, mais parce qu'il publie les débats parlementaires, et qu'il est le seul qui le fasse. Si on veut avoir un parti, il faut le soutenir et faire des sacrifices comme en font les membres de l'opposition, autrement l'opinion publique nous abandonnera tout-à-fait.⁶¹

MR. PATRICK would support the report if he thought it would serve to curtail the speeches instead of increasing them. That would be a benefit to the country. But believing this plan of reporting would have the opposite effect, he should oppose it. He had had his patience sufficiently taxed in the House by listening to speeches without taxing his own pocket, or that of the country for reporting and printing them.⁶²

MR. INSP. GEN. CAYLEY considered that reports of debates in extenso would not be read--and the effect of such a reporting press would be to chill the zeal and

suppress the energy of the independent press of the country. Speeches worth reporting would be sure to be reported by the independent press of the country, and no one would regret not having read a speech not worth reporting.⁶³ ((He)) said that some speeches might be curtailed with advantage; but there were some speeches on the other hand of which they would not willingly spare one word. They could not, for example, afford to lose a single flourish with which his honorable friend from Kent (Mr. Larwill) adorned his speeches on the Maine Law and other topics. And when his honorable friend from Haldimand (Mr. Mackenzie) rose to entertain the House with reminiscences of the past, commencing "once upon a time," and clenching every remark with "upon my sincerity," it would be a matter for regret if a single word that fell from him was lost. (Laughter.) There were difficulties connected with adopting a system of reporting under the control of the House, and he would prefer to leave it as at present with the newspapers.⁶⁴

MR. DUFRESNE reconnaît que son parti ne fait aucun sacrifice pour la cause, et dit que si l'opposition en fait, c'est parce qu'elle croit que l'avenir est à elle et que ces sacrifices feront triompher ses opinions; mais il ne tire pas de ce fait la même conclusion que M. Turcotte. Si le parti ministériel est trop inerte pour faire quelques sacrifices afin de faire triompher ses idées, ce n'est pas la province qui doit lui venir en aide et payer pour faire rapporter les discours de ses membres. Il votera donc contre l'adoption du rapport du comité.⁶⁵

MR. AT. GEN. DRUMMOND est aussi contre l'adoption du rapport du comité, parce que le gouvernement doit se soutenir par ses actes et non en ayant une presse à son service.⁶⁶

MR. COM. CR. LANDS CAUCHON dit qu'il est en faveur du Miroir du Parlement, parce que depuis qu'il est en chambre, ses discours ont toujours été mal rapportés; on lui a toujours fait dire le contraire de ce qu'il avait dit réellement.⁶⁷

Mr. Spence's amendment to defer the consideration of the report for six months was carried⁶⁸.

MR. BROWN did not vote, on the ground that he was personally interested in the question.⁶⁹

(1109)

The Order of the day for taking into consideration the Report of the Select Committee appointed to inquire into and report upon the means of publishing and ... obtaining a correct and impartial Report of the Debates of this House, being read; The House proceeded accordingly to take the said Report into consideration. And the same being again read;

(1110)

Mr. Loranger moved, seconded by Mr. Desaulniers, and the Question being put, That the Report be modified, by adding to the sixth paragraph the following words: "Provided however, that the Stenographic or Phonographic writers shall take down verbatim the Debates reported by them, reserving to the Members the right of striking out therefrom such parts as they may think useless, without altering the sense of their speeches;" the House divided: and it passed in the Negative.

The Honorable Mr. Spence moved, seconded by the Honorable Mr. Cayley, and the Question being put, That the further consideration of the said Report be postponed

until this day six months; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Aikins, Bellingham, Biggar, Bourassa, Bowes, Brodeur, Bureau, Carlier, Casault, Cayley, Chauveau, Chisholm, Christie, Clarke, Cooke, Crawford, Charles Daoust, Darche, Desaulniers, Dionne, Jean B.E. Dorion, Attorney General Drummond, Dufresne, Foley, Thomas Fortier, Labelle, Laporte, Larwill, LeBoutillier, Macdonald, McCann, Marchildon, Matheson, Niles, Papin, Patrick, Poulin, Powell, Prévost, Rankin, Robinson, Roblin, James Ross, Sanborn, Scatcherd, Solicitor General Smith, Somerville, Spence, Stevenson, Terrill, Thibaudeau, Valois, and Wright.--(54.)

NAYS.

Messieurs Cauchon, Chapais, Ferres, Octave C. Fortier, Fournier, Gill, Huot, Laberge, Langton, Loranger, Mackenzie, O'Farrell, Pouliot, Rhodes, Solicitor General Ross, and Turcotte.--(16.)

So it was resolved in the Affirmative.

The House, according to Order, resolved itself into a Committee on the Bill to improve the Law relating to Betterment; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Thomas Fortier reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. Thomas Fortier reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill be read the third time To-morrow.

Then, on motion of Mr. Brown, seconded by Mr. Mackenzie,
The House adjourned.

((QUESTION AND DEBATE RE: SEED GRAIN.))

MR. TURCOTTE enquired what were the intentions of the Government in reference to supplying the farmers in certain districts of Lower Canada with seed grain, through the Agricultural Societies, by loan or otherwise. The matter had been brought before the House on Saturday by a petition from the Sherbrooke county Agricultural Society, representing that in consequence of the scarcity of Fodder last winter, many of the farmers were under the necessity of feeding their cattle on the grain intended for seed, and praying for aid to purchase Seed Grain, to be sold to those farmers who are unable to provide themselves with the same.⁷⁰

MR. AT. GEN. DRUMMOND regretted to say that the destitution was not confined to the eastern extremity of the country, but existed in districts where want had scarcely ever been known to exist before, being attributable to the great drowth of last year and the losses sustained by the fires which ran over the country. He believed that, unless some aid was given, it would be impossible for the farmers to sow their lands. A gentleman informed him the other day that he believed not one-fourth of the land in a township which he named could be put under seed, unless assistance was afforded. The whole matter was at this moment under the serious consideration of the Government.⁷¹

MR. SANBORN thought the Government would be doing only what was just and right, if they complied with the petition of the Sherbrooke Agricultural Society, and several other Agricultural Societies in Lower Canada. He believed the Government would lose nothing by it, but that the loan would be repaid. The cause of the distress was the excessive drowth of last summer, and the long winter by which it had been followed, which had occasioned the necessity of feeding out everything in the shape of fodder which the farmers had. Hay had in some instances been as high as 35 dollars per ton, four times as much as was ever paid for it before, and the impossibility of purchasing it at that price had obliged the farmers to feed out the grain which they should have reserved for seed. Unless the aid was given, a great deal of the land would be left unsown and unproductive, and the distress in consequence would soon be much greater than at present existed.⁷²

MR. MERRITT said he had just heard from the line of the Welland Canal that throughout that district not a barrel of flour would be manufactured this season, the wheat being all gone. He believed the destitution in some portions of Lower Canada was mainly caused by the colonization system having been forced into parts of the country where it could not sustain itself.⁷³

MESSRS. TERRILL and LABERGE spoke in favour of aid being given by the Government to the Agricultural Societies.⁷⁴

CAPT. RHODES having risen to speak⁷⁵--

MR. SICOTTE the SPEAKER said that the debate was out of order, no motion being before the chair.⁷⁶

MR. BROWN wished to know if the Government intended to submit a substantive proposition on the subject to the House. If not, and if this was to be considered a

debate for the guidance of the Government, he thought it well that it should go on. So far as it had proceeded, he did not think it expressed the sentiments of the House.⁷⁷

MR. CAMERON also said that he hoped the debate, as far as it had yet gone, would not be taken as expressing the opinion of the House.⁷⁸

MR. SICOTTE the SPEAKER said he thought it best to drop the discussion for the present.⁷⁹

((WITHDRAWN MOTION RE: MEMBERS OF THE LEGISLATIVE ASSEMBLY.))

MR. BROWN, in the absence of Mr. McDonald, (Glengary,) moved the second reading of the "Bill to prevent the acceptance of offices of emolument or profit by members of the Legislative Assembly, except in certain cases." He believed the principle of the measure would commend itself to the good sense of every member of the House, and he might rely at least on its being supported by honorable gentlemen on the Treasury Benches who had brought in a measure of the same sort in a former Parliament. The House would remember the case of the appointment of a high judicial functionary which led the gallant knight to give notice of a bill to prevent any member of Parliament from ever accepting any office which he had himself assisted in creating. He did not think the high functionary to whom he referred was properly or justly attacked on that occasion, but the principle then contended for by the gallant knight, the Attorney General West and the Solicitor General West was a most sound one, that no member of this House who had assisted in creating an office should be appointed to that office himself. (Hear, hear.) The present bill carried out the very same principle by providing that no member of the Legislative Assembly, with certain necessary and specified exceptions, should accept any office of emolument under the Crown while a member, or within a year after he ceased to be such. The necessity of this was apparent. They had witnessed a case in which a member sitting on a very important committee had been bought off by the offer of three offices. First one office was offered, and refused, then a second, and then a third.⁸⁰

MR. SOL. GEN. H. SMITH.--That is not the case.⁸¹

MR. BROWN.--How was it then?⁸²

MR. SOL. GEN. H. SMITH.--He was offered two offices at one time, and not first one and then another.⁸³

MR. BROWN asked if the difference was such as to have warranted Her Majesty's Solicitor General getting up and interrupting him in so discourteous a manner. (Hear, hear.) The case he had referred to was very well known, and was an abominable job--removing a member from this House while sitting on an important committee by the inducement of three valuable offices. They had the case also of a county judge, who was coming down to Parliament, at a time when parties were about balanced, and who was bought off in the same way. Many other instances would occur to the recollection of honourable members, and the propriety of the measure, he thought, would be admitted by every one. The bill was very short, and was as follows:--

"Whereas it would tend further to secure the independence of the Legislative Assembly of this province, if the members thereof were incapacitated, during the

Parliament for which they were elected, and during a certain period thereafter, from accepting and holding offices of profit or emolument under the crown, except those hereinafter mentioned; be it therefore enacted, &c., as follows:--

"1. No person who now is or hereafter shall be a member of the Legislative Assembly of this province, shall during the Parliament for which he was elected to serve as such member, or during one year after the expiration or dissolution of such Parliament, be capable of accepting or holding any office, place or employment of profit or emolument under the crown in this province: except only that such person may, during such period as aforesaid, accept and hold the office of Provincial Secretary, Attorney General, Inspector General, Commissioner of Crown Lands, Commissioner of Public Works, President of the Executive Council, Postmaster General, Receiver General, Head of the Bureau of Agriculture, or Speaker of the Legislative Council, provided he be at the same time a member of the Executive Council, but not otherwise, or the office of the Solicitor General: provided always, that nothing herein contained shall be construed to prevent the seat of any member of the Legislative Assembly appointed to and accepting any of the offices above enumerated from being thereby vacated, in any case where it would be thereby vacated without this act; and that this act shall not apply to any commission in the Provincial Militia or as a Justice of the Peace, if no permanent salary be attached to the office, or to any appointment as Postmaster, when the salary or emolument does not exceed the rate of _____ L per annum."⁸⁴

MR. CAMERON said he had himself introduced this session a bill on the same subject, but had withdrawn it on the understanding that the Solicitor-General was to carry through a similar measure. He wished to know if it was intended to do anything with the Solicitor-General's bill this session?⁸⁵

MR. AT. GEN. J.A. MACDONALD.--It is the intention of the Solicitor-General to put his bill through this session.⁸⁶

MR. BROWN.--If it is to be brought up to-morrow, I am quite willing that the debate should be taken on the Solicitor-General's bill.⁸⁷

MR. AT. GEN. J.A. MACDONALD.--It will be brought up. I do not say to-morrow, but in sufficient time to let it become law this session.⁸⁸

MR. BROWN then withdrew his motion, and the order for the second reading of the bill went to the foot of the list.⁸⁹

((WITHDRAWN MOTION FOR RESOLUTIONS RE: RECTORIES.))

On the notices of motion ... ((were)) Mr. Brown's resolutions on the subject of the Rectory Law Suit.⁹⁰

MR. BROWN said he was in hopes that the large vote given this session in favour of a much stronger proposition than this on the subject of the Rectories would have its effect on the Government. He did not think that in the face of that vote, they could proceed with the pending Law Suit. (Hear, hear.) On that occasion there was a majority of 5 from Upper Canada against the Rectory Law Suit, and if the Government themselves had not voted, they would have been left in a minority of the whole House. In the expectation therefore that the Government would take warning by that vote, and stop the proceedings now going on, he would drop his resolutions for the

present, and, if disappointed in the course of the Government, would renew them on the first day of next session. (Hear, hear.)⁹¹

((WITHDRAWN RESOLUTIONS RE: DECIMAL SYSTEM.))

MR. MACKENZIE moved the adoption of the resolutions regarding a decimal currency, the consideration of which was postponed from Saturday. To simplify the matter, he said he would only move that portion which referred to keeping public accounts in decimal currency. If this were done, every merchant through the country would soon follow the example.⁹²

MR. INSP. GEN. CAYLEY said there was no necessity for moving a resolution to that effect. By the Act of 1853 the Government were authorized to keep the public accounts in decimal currency, if they should see fit to do so.⁹³

MR. MERRITT. There is no doubt as to the power of the Government to adopt the decimal currency, but the question is, is it their intention to do so? I thought that, when that law passed, the Government would as a matter of course adopt it, and it was a matter of surprise all over the country that they did not.⁹⁴

MR. BOWES thought it would be well to withdraw the resolutions just now, to give the merchants through the country an opportunity of considering the subject, and expressing an opinion upon it. He had no doubt that that opinion would be in favour of decimal currency.⁹⁵

MR. MACKENZIE. Why should I withdraw the resolutions? Why should not the Government adopt the decimal currency now, and all the rest of the country would do the same.⁹⁶

MR. INSP. GEN. CAYLEY said that, from the time the present Government took office, they had scarcely any time to devote to any other matters than those which were immediately before the House. He had not therefore had an opportunity as yet of bringing this subject before his colleagues in the council, but believing it to be a matter of some importance, he would very shortly do so. His own views on the subject were decided, but he was not prepared to say what course the Government would take.⁹⁷

MR. MACKENZIE, after this statement by the Inspector General that he considered the matter one of great importance, and that the Government would give it the considerations it deserved, withdrew his resolutions.⁹⁸

((WITHDRAWN ORDER OF THE DAY ? RE: FORT ERIE CANAL COMPANY.))⁹⁹

The Bill to incorporate the Fort Erie Canal Company was thrown out because it contained a provision to raise tolls, and therefore should have been introduced in Committee of the Whole.¹⁰⁰

FOOTNOTES: 14 MAY 1855.

1. GLOBE, 21 May 1855.
2. IBID.
3. IBID.
4. IBID.
5. IBID.
6. IBID.
7. IBID.
8. IBID.
9. LE PAYS, 31 May 1855.
10. IBID.
11. MONTREAL GAZETTE, 17 May 1855.
12. IBID.
13. GLOBE, 21 May 1855.
14. MORNING CHRONICLE, 21 May 1855.
15. GLOBE, 21 May 1855.
16. MONTREAL GAZETTE, 17 May 1855.
17. IBID.
18. MORNING CHRONICLE, 21 May 1855.
19. GLOBE, 21 May 1855.
20. IBID.
21. LE PAYS, 26 May 1855.
22. GLOBE, 21 May 1855.
23. LE PAYS, 26 May 1855.
24. MORNING CHRONICLE, 21 May 1855.
25. GLOBE, 21 May 1855.
26. TORONTO DAILY LEADER, 19 May 1855.
27. IBID.
28. IBID.
29. GLOBE, 21 May 1855.
30. MORNING CHRONICLE, 21 May 1855.
31. TORONTO DAILY LEADER, 19 May 1855.
32. GLOBE, 21 May 1855.
33. TORONTO DAILY LEADER, 19 May 1855.
34. MORNING CHRONICLE, 21 May 1855.
35. TORONTO DAILY LEADER, 19 May 1855.
36. GLOBE, 21 May 1855.
37. MONTREAL GAZETTE, 17 May 1855.
38. IBID.
39. GLOBE, 21 May 1855.
40. IBID.
41. IBID.
42. MONTREAL GAZETTE, 17 May 1855.
43. GLOBE, 21 May 1855.
44. MONTREAL GAZETTE, 17 May 1855.
45. GLOBE, 21 May 1855.
46. MONTREAL GAZETTE, 17 May 1855.
47. GLOBE, 21 May 1855.
48. MONTREAL GAZETTE, 17 May 1855.
49. GLOBE, 21 May 1855.
50. LE PAYS, 26 May 1855.

51. MONTREAL GAZETTE, 17 May 1855.
52. GLOBE, 21 May 1855.
53. TORONTO DAILY LEADER, 19 May 1855.
54. GLOBE, 21 May 1855.
55. MONTREAL GAZETTE, 17 May 1855.
56. IBID.
57. GLOBE, 21 May 1855.
58. MONTREAL GAZETTE, 17 May 1855.
59. LE PAYS, 26 May 1855.
60. MONTREAL GAZETTE, 17 May 1855.
61. LE PAYS, 26 May 1855.
62. MONTREAL GAZETTE, 17 May 1855.
63. TORONTO DAILY LEADER, 19 May 1855.
64. GLOBE, 21 May 1855.
65. LE PAYS, 26 May 1855.
66. IBID.
67. IBID.
68. GLOBE, 21 May 1855.
69. IBID.
70. IBID.
71. IBID.
72. IBID.
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84. IBID.
85. IBID.
86. IBID.
87. IBID.
88. GLOBE, 21 May 1855. MORNING CHRONICLE, 15 May 1855, in contrast to GLOBE, 21 May 1855, reports it was Mr. Sol. Gen. H. Smith who "intimated that his Bill to prevent members of the Assembly from accepting office, except in certain cases would become law this Session."
89. GLOBE, 21 May 1855.
90. IBID.
91. IBID.
92. IBID.
93. IBID.
94. IBID.
95. IBID.
96. IBID.
97. GLOBE, 21 May 1855. MORNING CHRONICLE, 15 May 1855, also reports Mr. Cayley saying "that imports were quite as much from sterling as from dollars; that his own views with regard to the expediency of a change in the present currency

were strong; and that the matter would receive the attention of the Government."

98. GLOBE, 21 May 1855.
99. It is unclear what exactly took place in the House regarding this item. According to JOURNALS, page 1062, the Report of the Committee of the Whole on the Fort Erie Canal Company should have been received on this day, 14 May 1855; however, the subject only appears in the JOURNALS later, on 26 May 1855, when the Bill was finally dropped. Telegraphs (MONTREAL GAZETTE, 15 May 1855, and PILOT, 17 May 1855), being the only other newspapers to have reported this item besides MORNING CHRONICLE, 15 May 1855, read as follows: "The motion for the second reading (sic) of the Port (sic) Erie Canal Co's bill was declared out of order, as the bill providing for levying a toll should have originated in committee of the whole House."
100. MORNING CHRONICLE, 15 May 1855.

TUESDAY, 15 MAY 1855.

(1111)

THE following Petitions were severally brought up, and laid on the table:--

By Mr. Bourassa,--The Petition of F. Nye and others, of the County of St. Jean.

By Mr. Gill,--The Petition of the Reverend J. Boucher and others, School Commissioners of the Parish of St. David, in the County of Yamaska.

By Mr. Langton,--The Petition of John Counter, of the City of Kingston.

By Mr. Alleyn,--The Petition of the Mayor, Aldermen, and Councillors of the City of Quebec.

By Mr. Larwill,--The Petition of James Chalmers and others, of the Townships of Dover East and West; and the Petition of Richard Monck and others, Bailiffs of the County of Kent.

By Mr. Rankin,--The Petition of John Seiterington, Reeve, and others, of the Township of Mersea.

By the Honorable Mr. Cameron,--The Petition of the Honorable James Crooks.

By Mr. Jobin,--The Petition of A.D. Bondy and others, Advocates, practising at the Berthier Circuit, County of Montreal.

By Mr. Loranger,--The Petition of F.F.Z. Hamel, Registrar of the County of Rouville.

By Mr. Solicitor General Ross,--The Petition of J.J. Taschereau and others, of the County of Beauce.

By the Honorable Mr. Attorney General Drummond,--The Petition of G.R. Browne and others, of the City of Quebec.¹

By Mr. Brown,--The Petition of Matthew H. Warren, late of St. John's Newfoundland, and now of Quebec.

On motion of Mr. Langton, seconded by Mr. Larwill,

Ordered, That the Petition of John Counter, of the City of Kingston, be now received and read, and the Rules of this House suspended as regards the same.

And the said Petition was received and read; complaining that his claim for compensation for loss sustained by a Contract with Government, in which he was security for the Contractors, has been unfavorably and unjustly reported upon by an Officer of the Board of Works; and praying relief in the premises.

MR. LANGTON moved the reference of the petition of Mr. Counter of Kingston, to a Select Committee, to enquire into his claim for remuneration. He had expended a large sum of money upon the construction of public work--the Junction Canal--and he (Mr. L.) did not think the Province should profit by his losses.²

MR. COM. PUB. WORKS LEMIEUX hoped the motion would not be pressed then. The first time the Government had heard of Mr. Counter's dissatisfaction with its decision upon his claim was when the petition was presented in that House. If pressed then he must oppose the reference, but he hoped the hon. member would give the Government a further time to consider the matter.³

MR. CHABOT explained that Mr. Counter became security for the contractors for constructing the Canal, that the contractors having failed he set to work to complete the contract, which, either for want of funds or scarcity of laborers, or lack of energy on their part, had not been pushed on by the contractors as fast as it should have been. Mr. Counter used every exertion to push it on. He employed all the laborers that could be got. He sent to Quebec to get immigrants from off

ship-board, and did all that lay in his power, but, unfortunately, the cholera broke out among them, and wages rose to such an extravagant rate that he found it was impossible to go further. He was becoming more and more involved the further he proceeded, and it was thought most advisable, both for himself and the Government, that he should be released from the contract. This was accordingly done, and the work re-let at very much higher rates, but not till Mr. Counter had suffered very heavy losses.⁴

MR. BROWN did not know what might be found advisable by the Committee, if appointed, but every one must sympathize with a man of Mr. Counter's enterprise in his present position. He believed his property was now all under seizure in consequence of the difficulties arising out of this contract. If he had indeed expended his own means largely in these works for the public benefit it would be a species of robbery for the Province to refuse him remuneration.⁵

MR. PRES. EX. COUN. MACNAB said the Government had no desire to wrong Mr. Counter, but, before admitting his claim of acceding to the demand for a Committee, they must consult with their subordinates immediately conversant with the circumstances. The Government really had little time during the session of Parliament, and the pressure of Parliamentary business before the Executive Council, to pay that attention to these matters which they deserved;⁶ but the House might be assured that they should have their attention, and that there was every disposition on the part of Ministers to do Mr. Counter justice.⁷

The further consideration of the motion was then postponed.⁸

(1111)

*On motion of Mr. Alleyn, seconded by Mr. Casault,
Ordered, That the Petition of the Mayor, Aldermen and Councillors of the City of Quebec, be now received and read, and the Rules of this House suspended as regards the same.*

And the said Petition was received and read; praying that they may be heard by Counsel at the Bar of the House, in support of their claim to the Cul-de-Sac Harbour.

*On motion of Mr. Jobin, seconded by Mr. Bourassa,
Ordered, That the Petition of A.D. Bondy and others, Advocates, practising at the Berthier Circuit, County of Montreal, be now received and read, and the Rules of this House suspended as regards the same.*

And the said Petition was received and read; complaining of the incapacity and inattention of F.X. Bender, Clerk of the said Circuit Court; and praying for an inquiry, in order to his removal from the said Office.

Mr. Jobin, from the Standing Committee on Contingencies, presented to the House

(1112)

the Seventeenth Report of the said Committee; which was read, as followeth:--

Your Committee beg leave to submit the following Estimate, prepared by the Accountant, of the probable Amount for the Contingent Expenses of the Legislative Assembly for the current year, in accordance with the amount contained in the Estimates already laid before Your Honorable House, and being exclusive of that portion of Indemnity provided for by the Act 12 Vic. cap. 33:--

	£	s.	d.
In part of Indemnity to Members, as per Resolutions of the House during the present Session.....	7400	0	0
Salaries.....	10500	0	0
Extra Services.....	7500	0	0
Messengers.....	1796	0	0
Expenses of Committees.....	200	0	0
Library.....	750	0	0
Printing.....	25000	0	0
Stationery.....	1000	0	0
Postage.....	2000	0	0
Newspapers.....	700	0	0
Tradesmen.....	2000	0	0
Miscellaneous.....	1400	0	0
	54246	0	0
DEDUCT.--Amount received in February last, by Letter of Clerk.....£ 4000 0 0			
Received in March, by Address of the House.....8000 0 0			
do do on 1st May instant, by do ....10000 0 0			
	22000	0	0
	£ 32246	0	0

Leaving the sum of Thirty-two thousand two hundred and forty-six pounds, to be supplied.

Sur motion de MR. JOBIN,⁹

(1112)

Resolved, That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to issue his Warrant in favor of William Burns Lindsay, Esquire, Clerk of this House, for a further sum of Thirty-two thousand two hundred and forty-six pounds, currency, on account of the Contingencies of this House; and assuring His Excellency that this House will make good the same.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

Mr. Hartman reported from the Select Committee on the Bill to repeal the Act 16 Vic. cap. 189, and to regulate travelling on Public Highways in Upper Canada, That the Committee had gone through the Bill, and made amendments thereunto.

Mr. Hartman reported from the Select Committee on the Bill to amend the Act 14 & 15 Vic. cap. 14, intituled, "An Act to provide for the payment of Jurors in Upper Canada," by providing that a City included within a County for Judicial purposes shall pay a fair proportion of the sum required for the payment of Jurors in such County, That the Committee had gone through the Bill, and made amendments thereunto.

Mr. Roderick McDonald reported from the Select Committee on the Bill to remove

(1115)

doubts as to the true application of the Act to provide for certain rates and taxes intended to be imposed by certain By-Laws of the late District Councils or County Councils in Upper Canada, That the Committee had gone through the Bill, and made amendments thereunto.

Mr. Solicitor General Smith reported from the Select Committee on the Bill to give summary protection to persons printing, distributing, or publishing Parliamentary Papers, That the Committee had gone through the Bill, and made amendments thereunto.

The Honorable Sir Allan N. MacNab, from the Standing Committee on Railroads, Canals, and Telegraph Lines, presented to the House the Twentieth Report of the said Committee; which was read, as followeth:--

Your Committee have examined the following Bills referred to them, and have prepared several amendments to each, which they beg leave to submit for the adoption of Your Honorable House, viz:--

Bill to amend the Act incorporating the Stanstead, Shefford, and Chambly Railroad Company, and for other purposes:

Bill to amend the Act incorporating the Montreal and Bytown Railway Company, and for other purposes.

Mr. Jobin moved, seconded by Mr. Darche, and the Question being put, That the Standing Committee on Contingencies be discharged for the remainder of the present Session; the House divided:--And it passed in the Negative.

Mr. Pouliot reported from the Select Committee on the Bill to alter and extend the limits of the Quebec Circuit, by including therein the Parish of St. Michel de Bellechasse, That the Committee had gone through the Bill, and made amendments thereunto.

On motion of Mr. Langton, seconded by Mr. Hartman,

Resolved, That this House will meet To-morrow at Eleven o'clock in the forenoon, and sit until Two o'clock in the afternoon, to take up the Orders relating to measures in charge of private Members.

On motion of MR. PRES. EX. COUN. MACNAB,¹⁰

(1113)

Ordered, That the Bill to incorporate the Hamilton and South-western Railway, as reported from the Standing Committee on Railroads, Canals, and Telegraph Lines, be committed to a Committee of the whole House, for To-morrow.

The Honorable Mr. Attorney General Drummond, one of Her Majesty's Executive Council, delivered to Mr. Speaker a Message from His Excellency the Governor General, signed by His Excellency.

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered; and is as followeth:--

Edmund Head,

In consequence of the distress prevailing in certain Districts of the Province, His Excellency the Governor General recommends to the consideration of the

Legislative Assembly, the expediency of appropriating a sum to be advanced, by way of Loan, for the purchase of Seed at the present season.

15th May, 1855.

On motion of the Honorable Mr. Attorney General Drummond, seconded by the Honorable Mr. Lemieux,

Ordered, That the said Message be referred to the Committee of Supply.

(1114)

On motion of the Honorable Sir Allan N. MacNab, seconded by the Honorable Mr. Spence,

Ordered, That the Orders of the day be now read.

And the Order of the day for the third reading of the Bill to remove doubts as to the right of the Judges of the Superior Courts to preside at Enquêtes in appealable cases pending in Circuit Courts in Lower Canada, being read;

Ordered, That the Bill be read the third time on Friday next.

MR. JOBIN moved, That the Bill to amend the Acts and Ordinances concerning the civil erection of parishes and the building and repairing of churches, parsonage houses and churchyards be now read the third time.¹¹

MR. BROWN said it was full time that they were done with these measures for compelling people by law to build churches. Let the people build their churches and their parsonages in any way they pleased, without coming to the Legislature for powers to compel reluctant parties to assist them. (Hear, hear.)¹²

MR. MACKENZIE said that there was of course a very great scarcity of churches in Lower Canada. (Laughter.) And no doubt it was all right and proper for this House to compel the people to build more. Why should not the House resolve itself into committee of the whole to vote as much money as the priests would take to build churches with? It belonged especially to the functions of Parliament to interfere with the religious rights and duties of the people. What right, he asked, had the people to think for themselves, or to go to heaven by any other than the regular orthodox road? (Hear, hear.)¹³

MR. FERRES pointed out an obnoxious feature of the Bill, contained in the first clause, which took away from parties assessed for church building, and considering themselves aggrieved by the judgment of the circuit court, all right of "appeal from any judgment either final or interlocutory rendered by the said court."¹⁴

MR. LORANGER considered that an excellent feature of the Bill. The right of appeal in a case of that sort would be very liable to be abused.¹⁵

MR. BROWN then moved in amendment, that the Bill be read a third time this day six months. He looked upon it as just as bad as the Three Rivers Cathedral Bill which excited so much discussion in last Parliament.¹⁶ ((It)) gives power to the priests to levy from the people such sums as they think they will require for their church building operations.¹⁷ Either the people who were to build churches under this Act, were willing to do so, or they were unwilling. If they were willing, there was no use for this Act. If they were unwilling, Parliament by this Act would be compelling people against their will to give their means for religious purposes. It made this House also recognize the validity of canonical laws &c., with which they had nothing to do. In the 6th clause, it was said--"whenever there shall have

been rendered according to the canonical laws, forms and usages followed in the Roman Catholic dioceses in Lower Canada, any decree for the canonical creation of a new parish, or for the subdivision dismemberment, or union of any parishes, or with regard to the alteration, or modification of the boundaries, limits and division lines of parishes already erected or established according to law, the said canonical decree &c." Why should Parliament be compelled to recognize the canonical authority of Rome--and why should they in their turn compel the people to build churches whether they would or not?¹⁸

DR. T. FORTIER (Nicolet) said that this law had nothing to do with Protestantism, and Upper Canada members had no business to meddle with it. The Roman Catholic members did not meddle with the Protestant Chapels or religion, and those who had no interest whatever in the question should not interfere with it.¹⁹

MR. HARTMAN objected to all measures of this nature, just because this Parliament had no right to interfere in this matter. He objected to this bill also, because it took away from the parties concerned all right of appeal.²⁰

MR. CASAULT said the expenses of an appeal might amount to more than the assessment appealed against.²¹

MR. BELLINGHAM could not support a measure which gave the aggrieved party no right of appeal.²²

Mr. Brown's amendment was negatived²³.

(1114)

The Order of the day for the third reading of the Bill to amend the Acts and Ordinance concerning the civil erection of Parishes, and the building and repairing of Churches, Parsonage Houses, and Churchyards, with respect to the levying of monies for the purposes mentioned in the said Acts and Ordinance, being read;

Mr. Jobin moved, seconded by Mr. Bureau, and the Question being proposed, That the Bill be now read the third time;

Mr. Brown moved in amendment to the Question, seconded by Mr. Christie, That the word "now" be left out, and the words "this day six months" added at the end thereof;

*And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--*²⁴

YEAS.

Messieurs Aikins, Bellingham, Biggar, Brown, Christie, Jean B.L. Dorion, Ferres, Hartman, Larwill, Lumsden, Mackenzie, Patrick, Poulin, Scatcherd, and Wright.--(15.)

NAYS.

Messieurs Bourassa, Bowes, Brodeur, Bureau, Cartier, Casault, Cauchon, Cayley, Chabot, Chapais, Chausseau, Cooke, Charles Daoust, Jean B. Daoust, Dostaler, Attorney General Hammond, Dufresne, Thomas Fortier, Gill, Guévremont, Holton, Huot, Jobin, Lalonde, Laporte, Lemieux, Roderick McDonald, Sir A.N. MacNab, McCann, Marchildon, Masson, Neagher, Papin, Polette, Pouliot, Prévost, Rhodes, Robinson, Solicitor General Ross, Shaw, Solicitor General Smith, Spence, Stevenson, Thibaudeau, Turcotte, and Valois.--(46.)

So it passed in the Negative.

Then the main Question being put;

Ordered, That the Bill be now read the third time.

The Bill was accordingly read the third time.

*Mr. Antoine Aimé Dorion*²⁵ *moved, seconded by Mr. Darche, and the Question being put, That the Bill be amended, by leaving out the words "or Mission" in the second line of the 3rd Clause;*

The clause in question gave authority for the compulsory building of churches &c., in any "Mission" as well as Parish in Lower Canada, and the object of ((t))his amendment was to restrict the operation of the Act to Parishes.²⁶

(1114)

the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Biggar, Brown, Chisholm, Christie, Darche, Jean B.E. Dorion, Dufresne, Hartman, Larwill, Mackenzie, Patrick, Poulin, and Wright.--(13.)

(1115)

NAYS.

Messieurs Bellingham, Bourassa, Bowes, Brodeur, Bureau, Cameron, Cartier, Casault, Cauchon, Cayley, Chabot, Chapais, Chauveau, Cooke, Charles Daoust, Desaulniers, Dionne, Attorney General Drummond, Thomas Fortier, Octave C. Fortier, Fournier, Gill, Guévremont, Holton, Jobin, Labelle, Laporte, Lemieux, Sir A.N. MacNab, McCann, Masson, Meagher, Murney, Papin, Polette, Pouliot, Prévost, Rhodes, Solicitor General Ross, Shaw, Solicitor General Smith, James Smith, Spence, Thibaudeau, and Turcotte.--(45.)

So it passed in the Negative.

Mr. Bellingham moved, seconded by Mr. Brown, and the Question being put, That the Bill be amended, by leaving out that part of the 1st Clause denying the right of appeal from Judgments rendered by Justices of the Peace or the Commissioners' Court; the House divided:--And it passed in the Negative.

Resolved, That the Bill do pass, and the Title be, "An Act to amend the Acts and Ordinance concerning the civil erection of Parishes, and the building and repairing of Churches, Parsonage Houses and Churchyards."

Ordered, That Mr. Jobin do carry the Bill to the Legislative Council, and desire their concurrence.

The Order of the day for the third reading of the Bill to improve the Law relating to Betterment, being read;

MR. ROBINSON called the attention of the Government and other members of the House to what he conceived to be the dangerous nature of the provisions of this measure. A squatter might, by five years occupation, acquire a right to the property of another, upon which he had entered without leave. Thus, a man, who should be prosecuted and driven off the land as a trespasser, was made to acquire rights by his own wrong-doing.²⁷

MR. AT. GEN. DRUMMOND said the hon. gentleman was mistaken in the scope of the bill. It did not give any right of property to squatters in the land on which they settled, but only pointed out how their claim to improvements actually made to the land was to be determined. It was a mere extension of that humane maxim of the civil law, already in force in Lower Canada, which declared that no one should

enrich himself at the expense of another. He had opposed a measure, which had been introduced into the House, to compel proprietors of lands to sell to those who squatted on their lands and improved them, and would oppose any measure having for its object the interference with rights of property. But this measure did not violate vested rights. One of the greatest evils under which L. Canada had suffered was the holding of large tracts of wild lands by parties who paid no attention to them, but left them to be settled and improved by sturdy backwoodsmen. When they had thus been improved and increased in value, the forest cleared, and roads made, then came the hitherto neglectful proprietor to demand a large sum for the land thus benefitted (*sic*), or drive off those whose industry had effected the change. Many men had settled in the Townships, when the public archives were five hundred miles away, and no clue to the title of the land was to be found in the local registry offices. The Government had offered inducements to settlers to go from the over-peopled shores of the great rivers to those wild lands. Was it just, when they had settled on land supposed to belong to the Crown, that they should be turned off without any remuneration for what they had done to enrich the proprietor? For these considerations he was prepared to give the bill his hearty support.²⁸

MR. CAMERON said this could not be regarded as a purely Lower Canadian question, for it affected the rights of non-resident owners of wild land, some of them living in Upper Canada, and others in Great Britain. And he must say, notwithstanding what had fallen from the learned Attorney General, he looked upon it as seriously interfering with vested rights. If a man settled by mistake on another's land, either by reason of a bad survey or otherwise, the law provides for an equitable adjustment of his claims; but that was not the case provided for by this bill. By the first clause, any person taking possession of land without asking permission of the proprietor or even informing him, and occupying it for five years with the bona fide intention of becoming its purchaser, was entitled to claim remuneration for all he did to improve the land. And how was this intention to be proved? Why, by his cultivating the land in a husband-like manner, without waste. Suppose the proprietor absent from the Province for these five years, the squatter acquired such a right by his wrong-doing, that he (the proprietor) must pay him a considerable sum for improvements, or let him have the land. He was certain such a measure, if referred to the people of Western Canada, would be rejected by two-thirds of them, and it was a serious question whether, under the circumstances, Western members should allow this to pass without opposition.²⁹

MR. SANBORN said that, as had been remarked, the principle on which the bill was based, was to be found in the Civil Law, which was recognized in Lower Canada. It was a mere application of the principle by the Attorney General. It was opposed, he knew, to the Common Law of England; but in new countries, such as Canada, we required laws suited to our circumstances, differing very materially from those of an old, densely-populated country like England. In the United States, too, where, according to the admissions of the hon. and learned member for Toronto himself, when the Clergy Reserves bill was under discussion, vested rights have been most strictly guarded, such a law prevailed, and betterments became a right of property divisible from the title, and sold separately. He went on to quote from Kent, to show the law in several of the States in this regard. It was not just that, when a poor industrious man had improved the neglected land of an absent proprietor--had made roads through it and converted the forest into a smiling farm--he should be turned off by the avaricious owner, without any remuneration for what he had done.³⁰

After some further discussion, the debate was adjourned.³¹

(1115)

Mr. Sanborn moved, seconded by Mr. Turcotte, and the Question being proposed, That the Bill be now read the third time;

On motion of the Honorable Mr. Attorney General Drummond, seconded by the Honorable Sir Allan N. MacNab,

Ordered, That the further consideration of the Question be postponed until Monday next.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

Mr. Speaker,

The Legislative Council have passed the Bill, intituled, "An Act to amend and extend the Acts incorporating the Champlain and St. Lawrence Railroad Company," without any Amendment: And also,

The Legislative Council have passed a Bill, intituled, "An Act to amend and extend the Acts for preventing obstructions to Rivers and Rivulets in Upper Canada," to which they desire the concurrence of this House.

And then he withdrew.

The House, according to Order, resolved itself into a Committee on the Bill to establish a College in the City of Hamilton; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Joseph Curran Morrison reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time To-morrow.

The Order of the day for receiving the Report of the Committee of the whole House to consider the expediency of increasing the Salaries of the Subordinate Officers of the several Departments of the Public Service, and of the Chief Justices

(1116)

and Puisne Judges, and Chancellors and Vice-Chancellors of the Superior Courts of this Province, being read;

On motion of MR. INSP. GEN. CAYLEY, the House went into committee of the whole on the salaries of public officers, to allow certain resolutions to be moved, supplementary to those adopted in December last.

The resolutions were to the effect, that the salaries of all the members of the government should be raised from 800L to 1,250L. The first was that the salary of the President of the Council be raised to 1250L.³²

MR. MACKENZIE opposed the motion. It appeared that they must give out seed wheat to the people to enable them to get along, and at the very same time those men who were already luxuriating on large salaries, must needs have their salaries increased. In the circumstances of the country he thought it would be better to give the President of the Council a little less than he got last year, instead of a great deal more. The present occupant of the office, (Sir Allan MacNab) and his friend, the Attorney General West, described once in a graphic way, its uselessness, and poor Malcolm Cameron suffered some in the flesh for taking 800L for it. (Laughter.) He wondered then at the modesty of the gallant knight in actually proposing to increase the salary to 1250L in this time of suffering and distress.

The gallant knight was in effect saying--"I denounced Malcolm Cameron for holding the office at 800L, but I now ask you to give me for it nearly the double of that." Was that patriotism? No! The whole thing was a scramble for money and for gain. The gallant knight was no doubt a gentlemanly man, and could speak with eloquence and grace, but everybody knew that he was not a man of business, and could never be worth anything like 5000L a year. He would like to hear the Attorney General West repeat the awful tirade he poured forth against Malcolm Cameron, although really Malcolm Cameron proposed to slave for his 800L in season and out of season in his own peculiar way, while the gallant knight was to do nothing at all, and asked 1250L a year for doing it.³³ He was an old man, like himself, and unable to do anything for the public to earn this salary. He had no objection to give him a situation or a pension to live upon, but he would not be a party to voting away the public money to him for doing nothing.³⁴

MR. BROWN said it was to be regretted that the Government had not brought this matter forward at a time when the house was full. (Hear, hear.) The other resolutions were brought down in December just as the house was breaking up, and allowed to lie untouched ever since; and here again, just as the session was closing, many of the members having gone home, the government brought down these important resolutions. The course they took in this matter, he must say, was very extraordinary.³⁵

MR. AT. GEN. DRUMMOND would ask, did not the circumstances which required an increase in the salaries of the Clerks employed by the government, warrant an increase to the salaries of Ministers also?³⁶

MR. HARTMAN objected to the increase.³⁷

DR. MASSON.--Will they receive their six dollars a day besides this 1250L?³⁸

MR. MACKENZIE.--Of course.³⁹

MR. J. SMITH (Victoria).--The member for Lambton found fault with the government for bringing down this proposition at so late a period of the session. He (Mr. S.) was one of those who blamed the government for laying it before the house just before the recess, without giving them time to consider it. They had now, however, given the house ample time to consider it, and he did not think they could properly be found fault with for bringing it up.⁴⁰

MR. BROWN.--We thought the resolutions were dropped, and⁴¹ there was not a word in the resolutions submitted before the recess relative to the salaries of ministers.⁴²

MR. J. SMITH said he believed the country was prepared for that increase. In the part of the country where he himself lived, it was expected and desired that the salaries of members of the government should be put on a liberal footing.⁴³

MR. MACKENZIE.--Oh, of course, as the member has got 10,000L (grant for Port Hope Harbour) he is quite right⁴⁴ to show that he deserves it by talking up this proposition of the government. (Hear, hear.)⁴⁵

MR. BROWN said the member for Haldimand need not make a fuss about this 10,000L, as the honorable gentleman had been fighting hard for it these three years. (Hear, hear, and laughter.) This proposal to increase the salaries of the government to

1250L was before the House for the first time. They were also paid six dollars a day as members of the House, and some of them as directors of the Grand Trunk got 250L a year more. He did not think the salaries should be such as to induce parties to desire the offices for the sake of the money. (Hear, hear.) A fair compensation should be given, but beyond that they should not go.⁴⁶

DR. MASSON said that when the poor people who had received damages by the raising of the water at the mouth of the Beauharnois Canal came the other day to get their damages paid they were told that there was no money; under these circumstances he could not consent to vote an increase of salaries to the heads of the ministry. He should reserve himself to vote against the proposition hereafter.⁴⁷

MR. FERRES thought the member for Soulanges the last person who should mention this subject. How much had that hon. member got out of these damages?⁴⁸

DR. MASSON.--I lost 2000L, and got 500L. There was no money to pay these poor fellows, but there is plenty of money when it is to go into the pockets of the ministry or their friends.⁴⁹

MR. FERRES said there had been enough money paid on these claims to buy up the whole of the district. 35,000L had already been paid, and he was told there was a demand for 38,000L more.⁵⁰ It was illiberal in the extreme to object to this paltry increase in the salary of the first Minister of the Crown, the whole amount was but a small matter, and scarcely worth noticing, much less discussing the matter.⁵¹

MR. INSP. GEN. CAYLEY said it was proposed to get an exact estimate of the amount of losses that had been sustained, and not to vote a sum en bloc.⁵²

DR. MASSON.--What then was the use of the commissioners there, receiving 800L or 900L each?⁵³

MR. COM. CR. LANDS CAUCHON ... ((also)) discussed the merits of the Commission.⁵⁴

MR. FERRES said, that if the present government deserved thanks for any one thing, it was for putting a stop to that commission, appointed by the late government. The commissioners were a Quebec lawyer and notary, and knowing nothing whatever of the price of land, proceeded on the principle of giving exactly two-thirds of the sum demanded. The people soon discovered this and governed themselves accordingly. Thus, a man who had sustained damages to the extent of \$60, asked \$400, and got from \$250 to \$300.⁵⁵

MR. CHABOT and DR. MASSON entered into a further discussion on the merits of the commission.⁵⁶

MR. FOLEY--considered the time of the House should not be taken up with family quarrels.⁵⁷

MR. AT. GEN. DRUMMOND bore testimony to the integrity, intelligence and diligence of the Commissioners, than whom none better, he asserted, could be chosen. It was the intention of the Government to indemnify all parties who had suffered by the construction of the Beauharnois Canal.⁵⁸

MR. BELLINGHAM then spoke in favor of the increase in salaries, which he said was required to support the dignity of the House.⁵⁹

MR. MACKENZIE drew back the discussion to the point before the House, as to increasing the salaries of the government.⁶⁰ ((He)) said that the ministry had, during this session, declared that they would not ask for this increase of salaries, and he was sorry to see a Scotchman (Mr. Ferres) supporting the motion; but that gentleman was constantly getting behind the backs of the ministry, looking out for a place, as a poor curate kept behind the back of Bishop Strachan. Yet that gentleman had been so noisy an opponent of the Government in 1849, till he raised such a flame that the Parliament House was burned in it.⁶¹ There was the Commissioner of Public Works, (Mr. Lemieux) who would be considered a dear bargain in Upper Canada at \$500; a man without ability,⁶² out there by way of uniformity to balance some one from Upper Canada,⁶³ who said nothing and did nothing but sleep in his chair, and knew no more about public works than he (Mr. M.) did about candle-making--even he had the modesty to ask the House for five thousand dollars a year. His friend beside him (Mr. Chabot) was a deplorable specimen to hold the office at 800L, but for the present commissioner to ask 1250L, really it was amusing.⁶⁴ He confessed, however, that he blamed the ministers less than the Governor General, who permitted them, after his short residence in the country, to come down and make use of his name to increase their salaries. Mr. Cameron had gone round the country, and had stated that the late Governor General would not allow the ministry to introduce the measure for the secularization of the Clergy Reserves.⁶⁵

MR. AT. GEN. DRUMMOND declared Mr. Cameron had said nothing of the kind.⁶⁶

MR. MACKENZIE believed it was very hard for the Attorney General to tell what was said by Mr. Cameron; but Dr. Rolph had written a letter containing much the same statements to Mr. McDougall, and if a Governor could prevent a ministry from bringing in a measure like that on the Clergy Reserves, he ought to be able to prevent such a measure as this. People talked of rebellion and disloyalty (sic); but the true disloyalty and rebellion was conduct of this kind, which made men dissatisfied. If you wanted to keep men loyal you must show that you have a government, which sympathizes with them. It was not to a few rowdies walking up and down the streets of Quebec that people would be loyal. What made the French aristocracy step down at once from its elevated position? How was it that the Spanish monarchy had crumbled into financial ruin? Every year showed the union could not last. Difficult of maintenance at the best, it could never be maintained by men who instead of being proud of the honor of being first among their fellow countrymen came down with the begging box for themselves first, and then for every miserable little creature, who was dependent upon them throughout the country.⁶⁷ He had not been greatly in favour of the movement, when the member for Renfrew raised the claptrap cry for reduction, nor when it was taken up in 1851 at Toronto by the present Inspector General. And it appeared that he (Mr. McKenzie) had formed a just estimate. Ministers now depended upon steady going members like the member for Victoria and the member for Niagara to help them through with this affair. Things were put down at the outcry of the present Inspector General, and now they were being put up again by the same gentleman. Here was the Speaker who had been put down to 500L, was put up again to 800L, and as to ministers it was now evident they meant to grab all they could get. He would some day ask that the Governor General should be paid from England, if he entirely failed to look after the interests of the country⁶⁸ ((OR he)) would move in amendment for a repeal of the union.⁶⁹

MR. FERRES made a few remarks upon the rhodomontade speech of the member for Haldimand who went back from the year 1791 to 1688, from that to the English nobility and came back again to the election for the County of Kamouraska. He referred to Mr. McKenzie's fitness for the office of Post-Master-General, on which it was plain he had an eye from his interference with the mail bags, and would support the motion.⁷⁰

The resolutions for the increase of salary to the President of the Council, the Attorney Genraals (sic) East and West, the Receiver General, the Provincial Secretary, ((and)) the Commissioner of Crown Lands ... were severally put and carried.⁷¹

The resolution relative to the salary of the Commissioner of Public Works being proposed,⁷²

MR. MACKENZIE said,--No! that is too bad. The man knows no more about Public Works than any man, who might be selected. If his office were elective he would not get half a dozen votes out of his own country (sic).⁷³

The resolution being put, that the salary of the Postmaster General be 1,250L,⁷⁴

MR. MACKENZIE remarked,--Poor man! I am willing to pay that. Considering that he has sold his principles, he should be well paid for it. (Laughter.)⁷⁵ I am always ready to vote for any man who rats. What he gains in money he loses in comfort.⁷⁶

((The resolution was)) carried.⁷⁷

The next was that the Inspector General's salary should be 1,250L.⁷⁸

MR. MACKENZIE,--Let it pass. Mediocrity must have its pay. (Laughter.)⁷⁹

Upon an increase of the Solicitor General's salaries,⁸⁰

MR. MACKENZIE remarked he thought it was but fair at least for the Solicitor General West. When he considered how many things the gentleman had proposed and what votes he had had to swallow since he changed sides, he thought him entitled to compensation.⁸¹

The salaries of the two Solicitor Generals were increased⁸² from 600L⁸³ to 750L, and the committee rose⁸⁴.

(1116)

Ordered, That the said Report be recommitted to a Committee of the whole House. Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Langton reported, That the Committee had come to several Resolutions.

Ordered, That the Report be received To-morrow.

Mr. Langton also reported, That he was directed by the Committee to move for leave to sit again.

Ordered, That the Committee have leave to sit again To-morrow.

The House then went again into Committee of Supply on the Estimates.⁸⁵

Some discussion arose on the impolicy of yearly increasing the grants to Academies and Colleges through Lower Canada, at the expense of the Common School Fund, about a fifth part of which is now taken to support institutions of the higher class, instead of being devoted to the education of the mass of the population who stand most in need of it.⁸⁶

MESSRS. BROWN and LANGTON expressed themselves strongly against the system⁸⁷.

MR. TURCOTTE ... spoke as if he considered the college system was now being carried to somewhat too great a length.⁸⁸

MR. BROWN asked an explanation of the item of 10,000L for Port Hope Harbor. An appropriation had often been asked for before, but always refused.⁸⁹

MR. MACKENZIE could explain. The member for Victoria had assisted at the formation of the coalition Government, and been its servile and very useful supporter since. This was his reward, and that of his neighbors who had followed his example.⁹⁰

MR. INSP. GEN. CAYLEY said this grant had, as stated, been repeatedly asked for, and Government had received recently petitions from the trade and from masters of vessels navigating the Lake for a harbor of refuge between Toronto and Kingston. Port Hope was generally admitted to be the best place for it, and the Government had felt it their duty to yield to the demand, and make this grant. It was made subject to this condition, that no vessel taking refuge there should be subjected to any wharf or harbor dues.⁹¹

MR. BROWN drew the attention of the House to ... ((the)) item ... Light Houses-- Straits of Belleisle.... It was no doubt proper that these should be constructed, but he had seen a petition from Mr. Warren, who had resided on the coast there for a great number of years, stating that one of them was being built in a position where it would be of no use. This opinion was confirmed by the masters of vessels who were in the habit of sailing through the Straits.⁹²

MR. COM. PUB. WORKS LEMIEUX said the masters of vessels were divided upon the point, and the Government had taken every pains to get the opinions of competent engineers to decide the question, and were acting on their recommendation. He was understood to say Mr. Warren had a private interest to subserve in the removal to the site which he recommended.⁹³

MR. HOLTON had asked for the papers connected with ... the Piers below Quebec ... contract, but they had not yet been printed. He did not know on whose shoulders the blame for the delay rested, but he would like to know whether this was really the last of the expenditure. They had been led to believe they were to have done with it after having voted the 100,000L last autumn.⁹⁴

MR. COM. PUB. WORKS LEMIEUX said the late Commissioner had not said that grant would complete the works. The sum now asked would pay for the work contracted for. The previous grant was founded upon estimates of engineers, but these, owing to the nature of the contract, so much per cubic foot for wood work, and so much for stone were not entirely accurate.⁹⁵

In reply to a question from MR. LANGTON,⁹⁶

((MR. COM. PUB. WORKS LEMIEUX)) said the sum now asked for would complete the work now contracted for. No new contract would be entered into without again coming before the House for its assent.⁹⁷

In reply to MR. HOLTON,⁹⁸

((MR. COM. PUB. WORKS LEMIEUX)) said that the contract in which the hon. member for East Missisquoi was at one time engaged had been cancelled, the contractors released from their engagements, and the work contracted for anew.⁹⁹

MR. BELLINGHAM said there was not sufficient water at the wharf at Rivière Ouelle. When he was there last season he believed there were but four feet water.¹⁰⁰

MR. COM. PUB. WORKS LEMIEUX said there was a separate estimate to complete that wharf.¹⁰¹

MR. HOLTON observed that he observed this sum ((for)) ... Tug Service below Quebec ... had grown larger by some 3000L since last year. He would like some explanations. The new contract should be before the House. The boats employed last year did little or no good--could hardly take care of themselves on half a gale of wind, much less take care of and tow a vessel.¹⁰²

MR. INSP. GEN. CAYLEY said a new contract had been entered into, to begin from the coming autumn. In place of the present old wooden paddle steamers they were to have four iron screw steamers to make the service effective.¹⁰³

((The)) item ... Ocean Steamship Service ... MR. INSP. GEN. CAYLEY said was to clear off the claim of the contractors under the old contracts, paying for the number of trips actually performed by them.¹⁰⁴

MR. HOLTON approved the course taken by the Government. These contractors were the pioneers of this enterprise, and had under many difficulties at least satisfied this fact, that goods could be delivered in Upper Canada via the St. Lawrence quicker than by the United States ports. Under the circumstances, the Government and country were bound to deal generously by them.¹⁰⁵

MR. BROWN differed entirely with the hon. member. These contractors had done harm rather than good, and had been in the way of other lines. The Province had really got nothing for its money.¹⁰⁶

((He also)) wanted to know if Government was going on with the improvement of ((the)) ... St. Lawrence rapids.¹⁰⁷

MR. COM. PUB. WORKS LEMIEUX said they had no money.¹⁰⁸

MR. BROWN said that was monstrous. They had money for useless landing piers, &c., below Quebec; but none for a work like this, of the first importance to the trade of the country.¹⁰⁹

MR. HOLTON desired some explanation of ... ((the)) item ... St. Clair flats.... He thought the American Government should build, or at least contribute to this work.¹¹⁰

MR. INSP. GEN. CAYLEY said the matter had been brought under the attention of the Government by the hon. member for Lambton. The American merchants engaged in the Western trade were commencing the work, which it found could be best done on the Canadian side of the Lake; and this grant was to be applied only to complete the work. It probably would not cost them more than 3,500L.¹¹¹

MR. AT. GEN. DRUMMOND moved a grant of 5000L to furnish seed grain to farmers in those parts of the country where the crops had failed last year through drought or other causes.¹¹²

The grant was supported by MR. HOLTON, MR. TERRILL, MR. LAMBTON (*sic*), DR. T. FORTIER of Nicolet, MR. J. DORION of Drummond, &c., all asserting, however, that the sum proposed was altogether too small.¹¹³

MR. AT. GEN. DRUMMOND proposed that it should be a loan secured to the Government by retaining the usual grants to agricultural societies and for building roads, and in some instances mortgages of real estate were offered.¹¹⁴

MR. SANBORN thought the grant should be 20,000L to 25,000L. The grant for roads was 12,500L, and that to agricultural societies about the same amount, furnishing ample security.¹¹⁵

MESSRS. BROWN, POWELL and LARWILL opposed the grant, as bad in point of principle as a matter of economy and damaging to the character and credit of Lower Canada. They should raise the amount by private subscriptions or loans from banks.¹¹⁶

The resolution passed.¹¹⁷

The whole of the estimates having been gone through, a Supplementary Estimate of 169,410L for miscellaneous Public Works during the year 1855, was moved.¹¹⁸

MR. MACKENZIE spoke against it for several hours, on the ground that the estimate had just been put into the hands of members, and that they should have some time to consider its items.¹¹⁹

Finally, however, it was pushed through committee¹²⁰.

(1116)

The House, according to Order, again resolved itself into Committee of Supply; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. James Smith reported, That the Committee had come to several Resolutions.

Ordered, That the Report be received To-morrow.

Mr. James Smith also reported, That he was directed by the Committee to move for leave to sit again.

Ordered, That the Committee have leave to sit again To-morrow.

*Then, on motion of Mr. Valois, seconded by Mr. Thomas Fortier, The House adjourned.*¹²¹

APPENDIX: 15 MAY 1855.

((WITHDRAWN MOTION RE: ASSEMBLY HALL.))

MR. LORANGER moved that the use of the Assembly Hall be given to Paul Jullien for a concert on the evening of Thursday next (a fête d'obligation, the sacredness of which prevents the House from meeting on that day.)¹²²

MR. BROWN said he was glad the motion had been made by the member for Laprairie. Had it been made by him, (Mr. B.) it would have been the most infidel proposition ever laid before the House. But it was clear that if they could meet in this Hall on Thursday to hear Paul Jullien, they might just as well meet for the despatch of public business. (Hear, hear.) It just showed that their adjournment on these holidays was a perfectly unnecessary waste of time. (Hear, hear.) Hon. gentlemen insisted that they should not meet on Thursday because it was a holiday, and yet they proposed that their Hall should be given upon that very day by the express order of Parliament for the purpose of holding a concert. If hon. gentlemen were determined to fiddle and dance on that night, he would not vote against the motion, as he would like to have on record so convincing an argument against the absurdity of the Roman Holidays. He had no doubt the entertainment would be very excellent; but for his own part he thought they would be far better employed in attending to the business of the country. (Hear, hear.)¹²³

MR. SOL. GEN. H. SMITH thought it below the dignity of the House to accede to the motion of the member for Laprairie.¹²⁴

Several members having objected to the motion being put, as no notice of it had been given, it was then withdrawn.¹²⁵

FOOTNOTES: 15 MAY 1855.

1. MORNING CHRONICLE, 16 May 1855, reports "Mr. Attorney General Drummond presented a largely signed petition from the citizens of Quebec, praying that a permanent Seat of Government may be established."
2. MONTREAL GAZETTE, 18 May 1855.
3. IBID.
4. IBID.
5. IBID.
6. IBID.
7. MORNING CHRONICLE, 24 May 1855.
8. IBID.
9. LA MINERVE, 24 May 1855.
10. TORONTO DAILY LEADER, 21 May 1855.
11. GLOBE, 22 May 1855.
12. IBID.
13. IBID.
14. IBID.
15. IBID.
16. IBID.
17. GLOBE, 23 May 1855.
18. GLOBE, 22 May 1855.
19. IBID.
20. IBID.
21. IBID.
22. IBID.
23. IBID.
24. At this juncture, GLOBE, 22 May 1855, comments "it was amusing to see the rapid disappearance (sic) of Upper Canada members just as this division was coming on."
25. GLOBE, 22 May 1855, as well as all other newspapers which account for this amendment, differ from the JOURNALS, as they report the mover to be Mr. Jean Baptiste Eric Dorion. The divisions taken during this debate include Mr. J. Dorion's name, but omit that of Mr. A. Dorion.
26. GLOBE, 22 May 1855.
27. MONTREAL GAZETTE, 18 May 1855.
28. IBID.
29. IBID.
30. IBID.
31. IBID.
32. GLOBE, 22 May 1855. A commentary contained in HAMILTON GAZETTE, 24 May 1855, provides the following information: "the Honorable House was ... occupied with resolutions laid on the table by Mr. Cayley, for the increase of the salaries of Ministers. 1250L is the amount he ... conscientiously fixes for himself and colleagues, which with parliamentary pay will yield the snug little income of 1550L."
33. GLOBE, 22 May 1855.
34. HAMILTON SPECTATOR, 23 May 1855.
35. GLOBE, 22 May 1855.
36. HAMILTON SPECTATOR, 23 May 1855.
37. IBID.

38. GLOBE, 22 May 1855.
39. IBID.
40. IBID.
41. IBID.
42. MONTREAL GAZETTE, 18 May 1855.
43. GLOBE, 22 May 1855.
44. MONTREAL GAZETTE, 18 May 1855.
45. GLOBE, 22 May 1855.
46. IBID.
47. MONTREAL GAZETTE, 18 May 1855. In a disparaging commentary, LE PAYS, 23 May 1855, explains the remark made by Dr. Masson as follows: "nos ministres ... ont ... arrêté le paiement des indemnités dues aux personnes qui ont souffert des pertes considérables sur le lac St. François et le canal de Beauharnais, en conséquence de l'inondation de leurs terres, causé((e))s par les travaux du gouvernement. Plusieurs personnes ayant accepté les offres des commissaires du gouvernement, MM. Sirois et Burroughs, pour le montant de leur indemnité, s'étaient rendues à Québec la semaine dernière afin de retirer l'argent nécessaire pour leur permettre de faire leur travaux de culture; mais vendredi dernier ((11 mai 1855)) nos ministres décidèrent de ne rien payer avant qu'il soit nommé une nouvelle commission pour évaluer les dommages, et malgré que ces personnes, au nombre d'une douzaine, eussent accepté les offres du gouvernement et qu'elles se fussent rendues à Québec à des dépenses considérables pour recevoir leur indemnité, elles furent obligées de s'en retourner".
48. MONTREAL GAZETTE, 18 May 1855.
49. GLOBE, 22 May 1855.
50. IBID.
51. HAMILTON SPECTATOR, 23 May 1855.
52. GLOBE, 22 May 1855.
53. IBID.
54. HAMILTON SPECTATOR, 23 May 1855.
55. GLOBE, 22 May 1855.
56. HAMILTON SPECTATOR, 23 May 1855.
57. IBID.
58. IBID.
59. MONTREAL GAZETTE, 18 May 1855. It is unclear when Mr. Bellingham spoke exactly as GLOBE, 2 May 1855, does not report his speech.
60. GLOBE, 22 May 1855.
61. MONTREAL GAZETTE, 18 May 1855.
62. GLOBE, 22 May 1855.
63. MONTREAL GAZETTE, 18 May 1855.
64. GLOBE, 22 May 1855.
65. MONTREAL GAZETTE, 18 May 1855.
66. IBID.
67. MORNING CHRONICLE, 24 May 1855.
68. MONTREAL GAZETTE, 18 May 1855.
69. HAMILTON SPECTATOR, 23 May 1855.
70. IBID.
71. GLOBE, 22 May 1855.
72. MONTREAL GAZETTE, 18 May 1855.
73. IBID.
74. GLOBE, 22 May 1855.

75. GLOBE, 22 May 1855 (in Scrapbook Hansard).
76. MONTREAL GAZETTE, 18 May 1855.
77. GLOBE, 22 May 1855.
78. IBID.
79. IBID.
80. MONTREAL GAZETTE, 18 May 1855.
81. IBID.
82. GLOBE, 22 May 1855.
83. PILOT, 17 May 1855.
84. GLOBE, 22 May 1855.
85. GLOBE, 22 May 1855. MONTREAL GAZETTE, 18 May 1855, reports the House "passed rapidly through several items." LE PAYS, 19 May 1855, reads as follows: "La chambre se forma ensuite en comité sur les estimés et en passa tous les articles."
86. GLOBE, 22 May 1855.
87. IBID.
88. GLOBE, 22 May 1855. This newspaper comments that Mr. Turcotte is "usually a supporter of everything that tends to keep education in the hands of priests and ecclesiastics".
89. MONTREAL GAZETTE, 18 May 1855.
90. IBID.
91. IBID.
92. IBID.
93. IBID.
94. MORNING CHRONICLE, 24 May 1855.
95. IBID.
96. IBID.
97. IBID.
98. IBID.
99. IBID.
100. IBID.
101. IBID.
102. IBID.
103. IBID.
104. IBID.
105. IBID.
106. IBID.
107. IBID.
108. IBID.
109. IBID.
110. IBID.
111. IBID.
112. MONTREAL GAZETTE, 18 May 1855.
113. IBID.
114. IBID.
115. IBID.
116. IBID.
117. IBID.
118. GLOBE, 22 May 1855.
119. IBID.
120. IBID.

121. GLOBE, 22 May 1855, reports "the House then adjourned about 2 o'clock in the morning."

In a general commentary, MONTREAL GAZETTE, 18 May 1855, observes that "the House grows thinner and thinner, and the remaining members more and more impatient for the day of prorogation."

122. GLOBE, 22 May 1855.

123. IBID.

124. IBID.

125. IBID.

WEDNESDAY, 16 MAY 1855.

(1116)

THE following Petitions were severally brought up, and laid on the table:--

By Mr. Roderick McDonald,--The Petition of J.F. Pring, Mayor, and others, of the Town of Cornwall.

By Mr. Bureau,--The Petition of Vital Baillargeon and others, of the County of Chateauguay.

By Mr. McCann,--The Petition of Peter M. Martin, Reeve, and others, of the Township of North Plantagenet.

By Mr. Murney,--The Petition of Leander Wright and others, Bailiffs of the County of Hastings.

Pursuant to the Order of the day, the following Petitions were read:--

Of Warren Lyman and others, Clerks of Division Courts for the United Counties of Leeds and Grenville; and of William Thompson and others, Clerks of Division Courts for the County of Haldimand; praying that the Tariff of Fees allowed them under the Act 16 Vic. cap. 53, may be increased.

Of Abraham Turkey and others, of the Township of Uxbridge; praying for the passing of a Prohibitory Liquor Law.

Of the Municipality of the Township of Drummond; and of the Reverend M. Charron and others, of the Parish of St. Esprit; praying that a permanent Seat of Government may be established.

Of the Municipality of the Township of Whitby; praying that the system of holding alternate Parliaments may be continued.

(1117)

Of Elias Cheney and others, Trustees of the Sherbrooke Academy; praying that they may be allowed to retain the sum of One hundred and fifty pounds, voted to the Sherbrooke Female Academy under the direction of the Soeurs de la Présentation, which they claimed through their Agent at Quebec, and have received in error, and which the Provincial Secretary has desired them to pay over to the said Soeurs de la Présentation.

Of Michael Barrett, of the City of Quebec, Bailiff; praying for payment of his account as Special Constable to the Commission for the examination of Witnesses on the trial for the Contested Election for the County of Megantic.

On motion of Mr. Bureau, seconded by Mr. Bourassa,

Ordered, That the Petition of Vital Baillargeon and others, of the County of Chateauguay, be now received and read, and the Rules of this House suspended as regards the same.

And the said Petition was received and read; praying the establishment of Public Granaries by the Government.

Mr. Terrill reported from the Select Committee on the Bill to amend the Act 14 & 15 Vic. cap. 96, to facilitate the performance of the duties of Justices of the Peace, That the Committee had gone through the Bill, and made an amendment thereunto.

Ordered, That the Bill and Report be committed to a Committee of the whole House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Sanborn reported, That the Committee had gone through the Bill, and made an amendment thereunto.

Ordered, That the Report be now received.

Mr. Sanborn reported the Bill accordingly; and the amendment was read, and agreed to.

Ordered, That the Bill be read the third time on Friday next.

Ordered, That the Bill to remove doubts as to the true application of the Act to provide for the recovery of certain rates and taxes intended to be imposed by certain By-Laws of the late District Councils or County Councils in Upper Canada, and the Report of the Select Committee on the same, be committed to a Committee of the whole House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Hartman reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time on Friday next.

Ordered, That the Bill to amend the Act 14 & 15 Vic. cap. 14, intituled, "An Act to provide for the payment of Jurors in Upper Canada," by providing that a City included within a County for Judicial purposes shall pay a fair proportion of the sum required for the payment of Jurors in such County, and the Report of the Select Committee on the same, be committed to a Committee of the whole House.

Resolved, That this House will immediately resolve itself into the said Committee.

(1118)

The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Patrick reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time this day.

Ordered, That the Bill to amend the Act incorporating the Montreal and Bytown Railway Company, and for other purposes, as reported from the Standing Committee on Railroads, Canals, and Telegraph Lines, be committed to a Committee of the whole House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. McCann reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time this day.

Ordered, That the Bill to repeal the Act 16 Vic. cap. 189, and to regulate the travelling on Public Highways in Upper Canada, and the Report of the Select Committee on the same, be committed to a Committee of the whole House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Scatcherd reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time this day.

Ordered, That the Bill to amend the Act incorporating the Stanstead, Shefford, and Chambly Railroad Company, and for other purposes, as reported from the Standing Committee on Railroads, Canals, and Telegraph Lines, be committed to a Committee of the whole House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Thibaudeau reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time this day.

The House proceeded to take into consideration the Amendments made by the Legislative Council to the Bill, intituled, "An Act to amend the Joint Stock Company Rivers Improvement Act, and to extend it to Lower Canada;" and the same were read, as follow:--

Page 1, line 22. Leave out from "to" to "obtain" in line 23.

Page 1, line 23. Leave out "such" and insert "any Municipal."

Page 1, line 24. Leave out from "but" to "notwithstanding" in line 27, and insert "they shall not be commenced until after the expiration of thirty days from the laying of the Report or Reports therein mentioned before the Municipal Council or Councils, even although the approval of the Commissioner of Public Works may have been signified in writing before the expiration of that period."

The said Amendments, being read a second time, were agreed to.

Ordered, That Mr. Holton do carry back the Bill to the Legislative Council, and acquaint their Honors, that this House hath agreed to their Amendments.

(1119)

The House proceeded to take into consideration the Amendments made by the Legislative Council to the Bill, intituled, "An Act for the relief of certain Practitioners of Medicine and Surgery in Lower Canada;" and the same were read, as follow:--

Page 1, line 37. Leave out from "that" to "they" in line 39.

Page 1, line 45. After "therein" insert "and shall thereupon be duly licenced to practice Physic, or Surgery, or Midwifery, in Lower Canada."

The said Amendments, being read a second time, were agreed to.

Ordered, That Mr. Sanborn do carry back the Bill to the Legislative Council, and acquaint their Honors, that this House hath agreed to their Amendments.

On motion of Mr. Solicitor General Smith, seconded by the Honorable Mr. Attorney General Macdonald,

Resolved, That this House will immediately resolve itself into a Committee to consider the expediency of increasing the Tariff of Fees and Allowances received by Clerks of Division Courts in Upper Canada.

The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Mackenzie reported, That the Committee had come to several Resolutions.

Ordered, That the Report be received on Friday next.

The House, according to Order, resolved itself into a Committee on the Bill to provide in a more certain manner for order in enregistration and to facilitate enregistration and searches in the Registry Offices of Lower Canada; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Chapais reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time on Friday next.

Mr. Jean Baptiste Eric Dorion reported from the Select Committee on the Bill to extend the limits, and to change the chief place of the Circuit of Arthabaska, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Bill and Report be committed to a Committee of the whole House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Bourassa reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time this day.

Sur motion de MR. DUFRESNE,¹

(1119)

The House proceeded to take into consideration the Amendments made by the Legislative Council to the Bill to incorporate the L'Assomption River and Railroad Company; and the same were read, as follow:--

Page 2, line 8. Leave out from "the" to "River."

Page 2, line 21. Leave out from "or" to "deepening" in line 22.

Page 2, line 28. Leave out from "necessary" to "Stations."

Page 2, line 44. Leave out from "bank" to "works."

Page 3, line 5. Leave out from "convicted" to "It" in line 21.

Page 3, line 26. Leave out from "Railway" to "and" where it occurs the second time.

Page 3, line 32. Leave out from "Railway" to "shall" in line 33.

Page 3, line 38. Leave out from "Railway" to "subject" in line 39.

(1120)

Page 3, line 47. Leave out from "thereof" to "The" where it occurs the first time in Page 4, line 3.

Page 9, line 2. Leave out from "thereon" to "and" in line 3.

In the Schedule to the Bill:--Page 9, line 34. Leave out from "Steamboats" to "Piers" in line 35.

In the Preamble of the Bill:--Page 1, line 2. Leave out from "Steamboats" to "by" in line 6.

The said Amendments being read a second time, and the Question being put, That this House doth agree with the Legislative Council in the said Amendments:--It passed in the Negative.

Resolved, That a Select Committee, composed of Mr. Dufresne, the Honorable Mr. Attorney General Drummond, Mr. Loranger, Mr. Papin, and Mr. Terrill, be appointed to draw up Reasons to be offered to the Legislative Council, at a Conference, for disagreeing to the said Amendments.

Sur motion de MR. FELTON,²

(1120)

Ordered, That the Petition of E. Short, Esquire, and others, of the Town of Sherbrooke and vicinity; and the Petition of Elias Cheney and others, Trustees of the Sherbrooke Academy, be printed for the use of the Members of this House.

Sur motion de MR. SOL. GEN. D. ROSS,³

(1120)

Ordered, That the Petition of J.P. Proux, Mayor, and others, of Ste. Marie, Nouvelle Beauce, be printed for the use of the Members of this House.

The Order of the day for the third reading of the Bill to incorporate the St. Lawrence Assurance Company, being read;

Ordered, That the said Order be discharged.

Ordered, That the Bill be re-committed to a Committee of the whole House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Casault reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be now received.

Mr. Casault reported the Bill accordingly; and the amendments were read, and agreed to.

Ordered, That the Bill be read the third time this day.

A Bill to establish a College in the City of Hamilton, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Sir Allan N. MacNab do carry the Bill to the Legislative Council, and desire their concurrence.

Mr. Loranger reported the Bill to amend the Criminal Law of Canada; and the amendments were read, and agreed to.

Ordered, That the Bill be read the third time on Friday next.

The Order of the day for the second reading of the Bill for the more expeditious transaction of Public Business in certain cases, being read;

Ordered, That the said Order be discharged.

Ordered, That the Bill be withdrawn.

The Order of the day for the second reading of the Bill to amend the Law of Upper Canada with respect to the solemnization and registration of Marriages, being read;

(1121)

Ordered, That the said Order be discharged.

Ordered, That the Bill be withdrawn.

The Order of the day for the second reading of the Bill to revive and continue in force the Provincial Statute 14 & 15 Vic. cap. 18, to enable Creditors to attach the effects of Debtors about to leave the Province, in cases under Ten pounds, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Papin reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time this day.

The Order of the day for the second reading of the Bill to establish the County of Erome for Municipal, Registration and other purposes, being read;

Ordered, That the said Order be discharged.

Ordered, That the Bill be withdrawn.

The Order of the day for the second reading of the Bill in relation to Foreign Insurance Companies and Insurance Agents, being read;

The Bill was accordingly read a second time; and referred to a Select Committee, composed of the Honorable Mr. Cameron, Mr. Solicitor General Smith, Mr. Felton, Mr. Holton, Mr. Hartman, and Mr. Rhodes, to report thereon with all convenient speed; with power to send for persons, papers, and records.

The Order of the day for the second reading of the Bill to repeal certain Acts and to consolidate the Laws relating to Lessors and Lessees, being read;

The Bill was accordingly read a second time; and referred to a Select Committee, composed of Mr. Sanborn, Mr. Solicitor General Ross, Mr. Papin, the Honorable Mr. Chabot, and Mr. Terrill, to report thereon with all convenient speed; with power to send for persons, papers, and records.

The Order of the day for the second reading of the Bill from the Legislative Council, intituled, "An Act to extend the provisions of the Act to facilitate Actions against persons associated for Commercial purposes and against unincorporated Companies," being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for Monday next.

The Order of the day for the second reading of the Bill to regulate the Toll to be taken in Mills in Lower Canada, being read;

The Bill was accordingly read a second time; and referred to a Select Committee, composed of Mr. Bureau, the Honorable Mr. Chabot, Mr. Masson, Mr. Thomas Fortier, and Mr. Terrill, to report thereon with all convenient speed; with power to send for persons, papers, and records.

The Order of the day for the second reading of the Bill to amend the Act for the organization of the Notarial Profession in Lower Canada, being read;

The Bill was accordingly read a second time; and referred to a Select Committee, composed of Mr. Chapais, Mr. Casault, Mr. Dufresne, Mr. Prévost, and Mr. Jobin, to

(1122)

report thereon with all convenient speed; with power to send for persons, papers, and records.

The House, according to Order, resolved itself into a Committee on the Bill to amend the Act 8 Vic. cap. 49, and to extend the provisions of the same; and after some time spent therein, Mr. Speaker resumed the Chair.

The Order of the day for the second reading of the Bill to amend the several Acts to remedy abuses prejudicial to Agriculture, being read;

The Bill was accordingly read a second time; and referred to a Select Committee, composed of Mr. Bureau, Mr. Prévost, Mr. Chapais, Mr. Poulin, and Mr. Desaulniers, to report thereon with all convenient speed; with power to send for persons, papers, and records.

The Order of the day for taking into consideration the Eleventh Report of the Standing Committee on Contingencies, being read;

The House proceeded accordingly to take the said Report into consideration.

Sur motion de MR. JOBIN,⁴

(1122)

Resolved, That this House doth concur with the Committee in the said Report.

The House, according to Order, resolved itself into a Committee on the Bill to amend the Law relating to the custody of Infants; and after some time spent therein, Mr. Speaker resumed the chair; and Mr. Southwick reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time this day.

The House, according to Order, resolved itself into a Committee on the Bill to remedy the informalities in the registration of certain Acts made in the Registry Office for Division No. 1, of the County of Huntingdon; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Bourassa reported, That the Committee had made some progress, and directed him to move for leave to sit again.

Ordered, That the Committee have leave to sit again on Monday next.

The House, according to Order, resolved itself into a Committee on the Bill to legalize certain transactions, and to alter the tenure of Indian Lands in the Township of Durham; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Labelle reported, That the Committee had made some progress, and directed him to move for leave to sit again.

Ordered, That the Committee have leave to sit again on Monday next.

The Order of the day for the second reading of the Bill to encourage the study of the Law in Lower Canada, being read;

The Bill was accordingly read a second time; and referred to a Select Committee, composed of Mr. Alleyn, the Honorable Mr. Chauveau, the Honorable Mr. Chabot, Mr. Sanborn, and Mr. Casault, to report thereon with all convenient speed; with power to send for persons, papers, and records.

A Bill to amend the Act 14 & 15 Vic. cap. 14, intituled, "An Act to provide for the payment of Jurors in Upper Canada," by providing that a City included within a

County for Judicial purposes shall pay a fair proportion of the sum required for the payment of Jurors in such County, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to amend the Act

(1123)

to provide for the payment of Jurors in Upper Canada, by providing that a City included within a County for Judicial purposes shall pay a fair proportion of the sum required for the payment of Jurors in such County."

Ordered, That Mr. Hartman do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to amend the Act incorporating the Montreal and Bytown Railway Company, and for other purposes, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Holton do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to repeal the Act 16 Vic. cap. 189, and to regulate travelling on Public Highways in Upper Canada, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to repeal the Act of last Session, chapter 189, and to regulate travelling on Public Highways in Upper Canada."

Ordered, That Mr. Hartman do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to amend the Act incorporating the Stanstead, Shefford, and Chambly Railroad Company, and for other purposes, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Terrill do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to extend the limits and to change the chief place of the Circuit of Arthabaska, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to alter the limits of the Arthabaska Circuit, and for other purposes."

Ordered, That Mr. Jean Baptiste Eric Dorion do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to incorporate the St. Lawrence Assurance Company, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Alleyn do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to revive and continue in force the Provincial Statute 14 & 15 Vic. cap. 18, to enable Creditors to attach the effects of Debtors about to leave the Province, in cases under Ten pounds, was, according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to enable Creditors to attach the effects of Debtors before Judgment, in cases under Ten pounds."

Ordered, That Mr. Terrill do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to amend the Law relating to the custody of Infants, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Cameron do carry the Bill to the Legislative Council, and desire their concurrence.

(1124)

The House, according to Order, resolved itself into a Committee on the Bill to incorporate the Hamilton and South-western Railway; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Chisholm reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time on Friday next.

MR. AT. GEN. DRUMMOND moved, that the Bill to amend the clause (sic) relating to the Inspection of Potash, be now read a second time.⁵

MR. BROWN said that very serious charges of malpractices existing under the present system, had been brought under the notice of the House, and he thought it was the duty of the Government to have investigated those charges. He admitted there were some advantages to be got from making the Inspection of Ashes a monopoly as at present, but all monopolies were objectionable, and it was in his opinion desirable that it should be removed in the present case.⁶

MR. HOLTON said that the charges referred to by the hon. member for Lambton, affected not so much the system itself, of having a uniform standard of Inspection as the character of the individual who held the office up till January last.⁷

MR. MACKENZIE strenuously opposed the continuance of the monopoly.⁸

MR. MERRITT thought there was no more necessity for a monopoly in the Inspection of Potash than in the Inspection of flour, where it was found that good millers' brands soon acquired a wide reputation.⁹

The motion for the second reading was carried¹⁰.

(1124)

The Order of the day for the second reading of the Bill to amend the Laws relating to the inspection of Potash, being read;

The Honorable Mr. Attorney General Drummond moved, seconded by the Honorable Mr. Spence, and the Question being put, That the Bill be now read a second time; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bellingham, Brodeur, Burton, Cameron, Cartier, Casault, Cauchon, Chabot, Chapais, Chisholm, Church, Cooke, Delong, Desaulniers, DeWitt, Dionne, Attorney General Drummond, Felton, Ferres, Foley, Galt, Guévremont, Hincks, Holton, Laberge, Langton, Larwill, Lemieux, Lumsden, Attorney General Macdonald, Sir A.N. MacNab, McCann, Matheson, Joseph C. Morrison, Murney, Polette, Poulin, Pouliot, Powell, Rhodes, Robinson, Roblin, Solicitor General Ross, Scatcherd, Shaw, Solicitor General Smith, James Smith, Southwick, Spence, Stevenson, Terrill, Thibaudeau, and Turcotte.--(53.)

NAYS.

Messieurs Aikins, Bourassa, Bowes, Brown, Charles Daoust, Darche, Jean B.E. Dorion, Dufresne, Hartman, Jobin, Mackenzie, Merritt, Papin, Prévost, and Valois.
--(15.)

So it was resolved in the Affirmative.

The Bill was accordingly read a second time; and committed to a Committee of the whole House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Dufresne reported, That the Committee had gone through the Bill, and made an amendment thereunto.

Ordered, That the Report be received on Friday next.

The Order of the day for the second reading of the Bill to confirm a Survey between the sixth and seventh Concessions of the Township of Hamilton, being read;

The Bill was accordingly read a second time; and referred to a Select Committee, composed of Mr. Solicitor General Smith, Mr. James Smith, Mr. Langton, Mr. Stevenson, and the Honorable Mr. Robinson, to report thereon with all convenient speed; with power to send for persons, papers, and records.

(1125)

The Order of the day for the House in Committee on the Bill to extend the Jurisdiction of the Division Courts in Upper Canada, being read;

Ordered, That the said Order be postponed until Friday next.

The House, according to Order, resolved itself into a Committee on the Bill to incorporate the Quebec, Chaudière, Maine, and Portland Railway Company; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Pouliot reported, That the Committee had gone through the Bill, and directed him to report the same without any amendment.

Ordered, That the Bill be read the third time on Friday next.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

Mr. Speaker,

The Legislative Council have passed a Bill, intituled, "An Act to repeal the Act, intituled, 'An Act to amend the Law relating to Public Works,' " to which they desire the concurrence of this House.

And then he withdrew.

Mr. Langton, from the Committee of the whole House to consider the expediency of increasing the Salaries of the Subordinate Officers of the several Departments of the Public Service, and of the Chief Justices and Puisne Judges, and Chancellor and Vice-Chancellor of the Superior Courts of this Province, reported several Resolutions; which were read, as follow:--

1. Resolved, That it is expedient to authorize the Governor in Council to make such increase to the Salaries of the Subordinate Officers of the several Departments of the Public Service, as he shall see fit, not exceeding in any case the following rates; that is to say:--

On Salaries not exceeding Two hundred pounds per annum, twenty five per cent:

On those exceeding Two hundred pounds, but not exceeding Three hundred pounds, twenty per cent:

On those exceeding Three hundred pounds, but not exceeding Four hundred pounds, fifteen per cent:

On those exceeding Four hundred pounds, a sum not great(er) than the maximum increase on Salaries of Four hundred pounds.

2. Resolved, That it is expedient that the Salaries of the Puisne Judges of the Courts of Queen's Bench and Common Pleas, and of the Vice Chancellors in Upper Canada, and of the Puisne Judges of the Court of Queen's Bench and Superior Court in Lower Canada, be One thousand pounds per annum; and that the Salaries of the Circuit Judges in Lower Canada be Six hundred and fifty pounds per annum.

3. Resolved, That it is expedient that the Salaries of the Chancellor of Upper Canada, and of the Chief Justices of the several Courts in Upper and Lower Canada, be One thousand two hundred and fifty pounds per annum.

4. Resolved, That nothing in the preceding Resolutions shall be understood to reduce the Salary of any functionary now receiving a higher Salary than he would receive under the said Resolutions.

5. Resolved, That the Salary of the President of Committees of the Executive Council be fixed at the sum of One thousand two hundred and fifty pounds per annum.

6. Resolved, That the Salary of the Attorney General of Lower Canada be fixed at the sum of One thousand two hundred and fifty pounds per annum.

7. Resolved, That the Salary of the Attorney General of Upper Canada be fixed at the sum of One thousand two hundred and fifty pounds per annum.

(1126)

8. Resolved, That the Salary of the Receiver General of the Province be fixed at the sum of One thousand two hundred and fifty pounds per annum.

9. Resolved, That the Salary of the Commissioner of Crown Lands be fixed at the sum of One thousand two hundred and fifty pounds per annum.

10. Resolved, That the Salary of the Honorable the Speaker of the Legislative Council, when a Member of the Executive Council, be fixed at the sum of One thousand two hundred and fifty pounds per annum.

11. Resolved, That the Salary of the Chief Commissioner of Public Works be fixed at the sum of One thousand two hundred and fifty pounds per annum.

12. Resolved, That the Salary of the Post Master General be fixed at the sum of One thousand two hundred and fifty pounds per annum.

13. Resolved, That the Salary of the Provincial Secretary be fixed at the sum of One thousand two hundred and fifty pounds per annum.

14. Resolved, That the Salary of the Inspector General of Accounts be fixed at the sum of One thousand two hundred and fifty pounds per annum.

15. Resolved, That the Salary of the Solicitor General of Lower Canada be fixed at the sum of Seven hundred and fifty pounds per annum.

16. Resolved, That the Salary of the Solicitor General of Upper Canada be fixed at the sum of Seven hundred and fifty pounds per annum.

The Honorable Mr. Cayley moved, seconded by the Honorable Mr. Attorney General Macdonald, and the Question being proposed, That the said Resolutions be now read a second time;

Mr. Jean Baptiste Eric Dorion moved in amendment to the Question, seconded by Mr. Jobin, That all the words after "That" to the end of the Question be left out, in order to add instead thereof the words "the paragraph in the first Resolution having for its object to increase Salaries above Four hundred pounds, be left out;"

MR. MACKENZIE did not like this wholesale plan of increasing salaries.¹¹ They ought to know what officers were to receive the increase, and for what services.¹² He would begin with the Bureau of Agriculture, as this was an agricultural country.

(Cries of question.) Why, Mr. Speaker, who is not speaking to the question? Ah! well, here is \$1600 to William Hutton, a gentleman imported into this country by the hon. member for Renfrew. He had 250L last year, and now he was to get an addition of above 100L, while this country was so poor that the farmers had to be supplied with seed grain. Let him go. Here is another--Evelyn Campbell. How did he come from \$2 a day to \$1200 a year, which is now to be increased? No one knows, of course. He would only ask, if it was the deliberate intention of the Government to pick every farmer's pocket in the country, for the sake of some hungry, cheating lawyer. Their reign will cease. It is not long since the gallant knight and the hon. Attorney General West spent their breath in declaring this Bureau useless, and now what are they doing? Here is another, however, Mr. Deguise, who had from \$2 to \$3 a day, and by what necromancy does he now get \$900 a year. Ah! the naked deformity and rottenness of this system of government will soon appear. How hungrily and greedily they grasp at pelf. Even the Post Master General sacrificed his principles after the Sunday job. There were a lot of hangers on rewarded by promotion. He was sick of even the Governor General's salary as he said the night before. He (Mr. Mackenzie) was rather a peculiar kind of individual. (Laughter.) And there was Lord Bary, the son of a distinguished nobleman in England, a young man of 23, who comes here to manage our affairs and who might be capable enough, he (Mr. Mackenzie) would not know him, if he saw him.¹³

MR. SICOTTE the SPEAKER.--The honorable gentleman must confine himself to the question before the House.¹⁴

MR. HINCKS.--Has the hon. gentleman finished.¹⁵

MR. MACKENZIE.--No, but enough for the present.¹⁶

MR. HARTMAN thought the House should be in possession of some definite information, as to what the extent of increase would be. He therefore moved in amendment to Mr. Dorion's amendment, "That it is inexpedient to authorize any increase to the salaries of persons employed in the Public Departments, until a statement is first laid before this House, shewing the names of the persons so employed, the duties they perform and the salaries and allowances they now receive."¹⁷

MR. INSP. GEN. CAYLEY--said that the motion on amendment was an attempt by a side wind to prevent any increase. It was a mere shift. The motion required that certain returns should be furnished which were furnished every year in the public accounts, and which had been actually before the House only a few days ago. In the United States, the Government clerks had been increased on a very similar scale, and all the clerks in the Customs had higher salaries than our clerks. In June last, when all the salaries were generally increased, the Customs clerks' salaries were as high as \$2,000.¹⁸

MR. BROWN denied that the motion of the member for North York was an attempt to get quit of the question by a side wind. He believed that the member for North York and all who supported him in this motion were quite prepared to face the matter. But they were not disposed to give the Government the discretionary power sought by these resolutions, to increase those salaries as they chose, and to add to the public burdens some 30,000L or 40,000L a year. What did members come here for, if not to see that the public burdens were properly imposed? And yet they were asked to delegate their whole powers in this matter to the Administration. (Hear, hear.) He thought the proposition of the hon. member for York should command itself to the

good sense of every member of the House; how could it be denied that before granting this large increase it was absolutely necessary to have the names of the public officers to whom it was to be given, the amount of their present salaries, and the increase that was to be awarded to each. The House, he considered, would be lost to a sense of its own position, if it handed over the disposal of this matter entirely to the Government. (Hear, hear.) He was free to admit that the salaries of some of the employés of the Government ought to be increased; but anything like the sweeping resolutions now before the House was more than he could agree to. It was for the House and not for the Government to decide to what extent the increase should be made. There were many members of this House, former members of the Executive Council and others, who were quite as competent as the Government to judge of the question, and their opinions ought to be obtained. He trusted the House would oppose a proposition which virtually placed 30,000L in the hands of the Government to be distributed among their favourites in whatever way they pleased. (Hear, hear.)¹⁹

MR. AT. GEN. J.A. MACDONALD thought that that House would, for very obvious reasons, be the very worst tribunal to decide on these matters. Members would be besieged by all sorts of applications, and would be called on to bring all sort((s)) of influences to bear upon the Government to get increases for these officers quite irrespective of their merits.²⁰ ((He)) said the Heads of Departments were the best qualified to judge of the claims of subordinate officers to an increase of salary. In England such a thing was never heard of, as for the House of Commons to decide on the salaries of Government officers, which were always left to be determined by the Government themselves, and the same thing was done even in the United States, where Responsible Government did not exist. He considered it would be quite improper to hand over to this House the task of discussing the character of every one of the public servants, and whether or not his salary was sufficient. If the Legislature had confidence in the Government sufficient to allow them to remain a Government, they ought to throw upon the Government this responsible and onerous duty. The member for Lambton said he admitted that some of the salaries were too low. He believed the general feeling of the House would be that the majority of them were too low, and that many of the officers of the Government were worse paid than they would be, if in the services of private employers. The Government already had the power of fixing the salaries of subordinate officers, and the resolutions now before the House, so far from giving them that power, went in fact to limit it, by saying that they should not go beyond a certain rate of increase. They were introduced for the very purpose of putting a check on the Government, and preventing any allegation being made of favouritism. He considered therefore, that they were not in any way obnoxious to that charge.²¹

MR. MERRITT supported the amendment, believing it to be the most judicious course for the Government to submit to the House a statement of the salaries they intended to raise. He could not agree with the Attorney General, that ((it)) was ... enough to say that the Government were responsible. Their responsibility amounted to nothing. He had always been in favour of paying good salaries to the public clerks. It was not their fault, if ten men were employed to do one man's work, but it was the duty of the Government to introduce a Reform in that respect.²²

MR. RANKIN had asked a return of appointments and salaries for a certain limited period, but at the suggestion of the Solicitor General this had been extended over a very long period, and the return was so bulky as to be of very little or no use. He had not had courage either to wade through it himself or to ask to have it

printed.²³ He would take time to examine them during the recess, and if anything important appeared in them he would take an early opportunity of laying it before the House.²⁴ He thought the demand of the Government by no means unreasonable. In fact, he thought the increase asked would not be sufficient for many of the superior officers, such for instance as the assistant secretaries of the two portions of the Province. The House had just voted an increase of over fifty per cent to the salary of the head of the department, while those gentlemen with much smaller salaries, yet requiring the same capacity as their chief, could only get under these resolutions fifteen per cent.²⁵ He would be in favour of adding twenty five per cent to all salaries below 500L. Since it became known that he took a special interest in the question of raising the salaries of subordinate officers, many gentlemen in the public service had communicated to him their cases, from which he had been led to the belief that favouritism had been practised to a very great extent.²⁶ There were some clerks in office for many years and it was presumable that they had done their duty. It was right to disaminate (sic) between those who faithfully performed their duties and those who did not, but it was not right to place new comers over the heads of those against whom no complaint had been made.²⁷

MR. HINCKS was glad of the opportunity to say something on this matter, as he might not have another. He looked upon the increase proposed with great satisfaction. The increase of the necessities of life in price, made the increase of salaries a necessity and he thought that the application of such increase might safely be left to the Government, who had shown that they recognize the proper principle of increase and who are of course held responsible to the House for the exercise of their discretion. As for the publication of the names of those entitled to an increase; there were many cases in which publication would not be desirable. The hon. member who had last spoken, said that favoritism existed, and having taken that position it was perfectly clear that he must be in possession of all the grievances of persons who conceive they have been unfairly dealt with. He (Mr. Hincks) entirely dissented from the doctrine, that a person not dismissed from an inferior office must be so competent for higher employment that he ought to be promoted or recompensed, if a new appointment were made to which a higher salary was attached. He could testify that there never had been any desire to promote persons from purposes of favoritism, as the heads of departments were far too desirous to have their work efficiently performed to trifle with competency. The hon. member for Haldimand never let slip an opportunity of having a fling at him, and the honorable gentleman referred to a party imported by him. That gentleman had been in the country as long as he (Mr. Hincks) had been--25 years--and had nothing to thank him for. He (Mr. Hincks) had not given him his appointment, but anybody that knew that officer knew that he was highly competent. The railroads by equalizing the different markets had had much effect, together with reciprocity, in keeping up prices, which pressed hard upon all parties, who are receiving salaries, and who had the benefit but the farmer, railroads and reciprocity having the tendency to increase the value of farm produce. As for the 50 per cent increase to the executors, ... the hon. gentleman (Mr. Rankin) did not take into consideration that the salaries had been previously reduced to a scale far too low²⁸. The reduction a few years ago was a mistake. He was most unwilling to consent to it, but had been compelled with his colleagues to yield to the pressure brought to bear upon them on both sides of the House. In fact, the late hon. and learned member for Toronto (Mr. Sherwood) had defeated ministers on the salary of the Post-master General, with the assistance of many of their own friends; and finding themselves unfairly pressed by the opposition, and deserted by some of their own friends, they had yielded. He was glad that the present Government was in a position to retrace their steps and

correct the error then committed.²⁹ It was done under the mistaken idea that the country desired it. Executive officers held offices on a different tenure to departmental officers, and suffered much in the abandonment of their professional pursuits while they were liable to lose office from day to day.³⁰

MR. MACKENZIE went back to the last war expatiating on the losses accruing from the sovereign having been current at 27s. ((He)) spoke of his nose not being a nose of wax, and taunted the hon. member for Victoria with having received 10,000L for his assistance to the government.³¹

Mr. Hartman's amendment was then put and negatived³².

(1126)

Mr. Hartman moved in amendment to the said proposed Amendment, seconded by Mr. Brown, That the words "the paragraph in the first Resolution, having for its object to increase Salaries above Four hundred pounds, be left out" be left out, in order to add the words "it is inexpedient to authorize any increase to the Salaries of persons employed in the Public Departments until a statement is first laid before the House shewing the names of the persons so employed, the duties they perform, and the Salaries or Allowances they now receive" instead thereof;

And the Question being put on the Amendment to the said proposed Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Aikins, Biggar, Bourassa, Brown, Bureau, Cooke, Charles Daoust, Darche, Delong, DeWitt, Jean B.E. Dorion, Foley, Hartman, Jobin, Laberge, Roderick McDonald, Mackenzie, Papin, Prévost, Scatcherd, Valois, and Wright.--(22.)

(1126-1127)

NAYS.

Messieurs Bellingham, Bowes, Brodeur, Cartier, Cauchon, Cayley, Chabot, Church, Jean B. Daoust, Desaulniers, Attorney General Drummond, Dufresne, Ferres, Thomas Fortier, Octave C. Fortier, Fournier, Guévremont, Labelle, Langton, Larwill, Lemieux, Lumsden, Attorney General Macdonald, Sir A.N. MacNab, McCann, Masson, Meagher, Joseph C. Morrison, Monney, O'Farrell, Patrick, Polette, Poulin, Poirier, Roblin, Solicitor General Ross, James Ross, Sanborn, Shaw, Solicitor General Smith, Southwick, Stevenson, Thibaudeau, and Turcotte.--(44.)

So it passed in the Negative.

(1127)

And the Question being put on the Amendment to the Original Question; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Aikins, Biggar, Bourassa, Brown, Bureau, Cooke, Charles Daoust, Jean B. Daoust, Darche, Delong, Desaulniers, DeWitt, Jean B.E. Dorion, Dufresne, Foley, Guévremont, Hartman, Jobin, Labelle, Laberge, Lumsden, Mackenzie, Masson, Papin, Prévost, Sanborn, Scatcherd, Thibaudeau, Valois, and Wright.--(30.)

NAYS.

Messieurs Bellingham, Bowes, Brodeur, Cameron, Cartier, Casault, Cauchon, Cayley, Chabot, Church, Crawford, Attorney General Drummond, Felton, Ferres, Thomas

Fortier, Octave C. Fortier, Fournier, Langton, Larwill, Lemieux, Attorney General Macdonald, Roderick McDonald, Sir A.N. MacNab, McCann, Meagher, Joseph C. Morrison, Murney, O'Farrell, Patrick, Polette, Poulin, Pouliot, Roblin, Solicitor General Ross, James Ross, Shaw, Solicitor General Smith, Southwick, Stevenson, and Tancotte.--(40.)

So it passed in the Negative.

And the Question being again proposed, That the said Resolutions be now read a second time;

MR. PATRICK said he regretted to be obliged to move another amendment.--"That it is inexpedient to make any additions to the salaries of those Employés of the Government who receive 500L per annum." Parties, who had that salary, he thought could live very comfortably without any increase. He considered it was the duty of every one that looked to the interests of his constituents, who were expecting retrenchment rather than addition to the public burdens, to oppose any increase in the case of those who already had large salaries.³³

MR. POST. GEN. SPENCE thought the member for Toronto had very properly described the motion, although it was probably the one that would meet with most applause who took a superficial view of the subject of the salaries of public officers. He well recollected the state of feeling in 1850, which was to a state of almost madness and which led to a reduction that now created the necessity of again raising salaries. They could prevent men of ability from entering the public service, if they deprived them of the hopes of ultimately receiving that fair remuneration to which their services entitled them. He knew several deserving officers in his own department, who, on account of the insufficiency of remuneration, had been compelled to leave it, and go into the employment of mercantile houses.³⁴

Mr. Patrick's amendment was negatived³⁵.

(1127)

Mr. Patrick moved in amendment to the Question, seconded by Mr. Thibaudeau, That all the words after "That" to the end of the Question be left out, in order to add the words "it is inexpedient to make any additions to the Salaries of those Employés of the Government who received Five hundred pounds per annum" instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Aikins, Biggar, Bourassa, Brown, Bureau, Christie, Church, Cooke, Charles Daoust, Jean B. Daoust, Darche, Delong, Desaulniers, DeWitt, Jean B.E. Dorion, Dufresne, Foley, Guévremont, Hartman, Jobin, Labelle, Lumsden, Roderick McDonald, Mackenzie, Marchildon, Masson, Matheson, Merritt, Niles, Papin, Patrick, Proulx, Polph, Samborn, Scatcherd, Thibaudeau, Valois, and Wright.--(41.)

(1127-1128)

NAYS.

Messieurs Alleyn, Bellingham, Bowes, Brodeur, Burton, Cameron, Cartier, Casault, Cauchon, Cayley, Chabot, Chauveau, Clarke, Crawford, Crysler, Daly, Dionne, Attorney General Drummond, Felton, Ferres, Thomas Fortier, Octave C. Fortier, Fournier, Gill, Holton, Lavaton, Larwill, LeBontillier, Lemieux, Attorney General Macdonald, Sir A.N. MacNab, McCann, Meagher, Joseph C. Morrison, Murney, O'Farrell, Polette,

Poulin, Pouliot, Powell, Rankin, Rhodes, Robinson, Roblin, Solicitor General Ross, James Ross, Shaw, Solicitor General Smith, Southwick, Spence, Stevenson, and Turcotte.--(52.)

So it passed in the Negative.

(1128)

And the Question being again proposed, That the said Resolutions be now read a second time;

Mr. Jobin moved in amendment to the Question, seconded by Mr. Papin, That all the words after "That" to the end of the Question be left out, in order to add instead thereof the words "the first Resolution be amended, by adding at the end thereof the words 'and the said Salaries shall be liable to seizure to the amount of fifteen per cent for the debts hereafter incurred, and to the amount of five per cent for debts heretofore incurred;'"

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Aikins, Bourassa, Brown, Bureau, Christie, Charles Daoust, Darche, Dewitt, Jean B.E. Dorion, Dostaler, Foley, Hartman, Holton, Jobin, Laberge, Lumsden, Roderick McDonald, Mackenzie, Masson, Papin, Patrick, Prévost, Rolph, Scatcherd, Valois, and Wright.--(36.)

NAYS.

Messieurs Alleyn, Bellingham, Biggar, Brodeur, Burton, Cameron, Cartier, Casault, Cauchon, Cayley, Chabot, Chauveau, Church, Clarke, Cooke, Crawford, Crysler, Daly, DeLong, Desaulniers, Dionne, Attorney General Drummond, Dufresne, Felton, Ferres, Thomas Fortier, Octave C. Fortier, Fournier, Gill, Guévremont, Labelle, Langton, Larwill, LeBoutillier, Lemieux, Attorney General Macdonald, Sir A.N. MacNab, McCann, Marchildon, Matheson, Meagher, Joseph C. Morrison, Murney, Niles, O'Farrell, Polette, Poulin, Pouliot, Powell, Rankin, Rhodes, Robinson, Roblin, Solicitor General Ross, James Ross, Shaw, Solicitor General Smith, Southwick, Spence, Stevenson, Thibaudeau, and Turcotte.--(62.)

So it passed in the Negative.

Then the main Question being put;

Ordered, That the said Resolutions be now read a second time.

The first Resolution being read a second time; and the Question being put, That this House doth concur with the Committee in the said Resolution; the House divided: and the names being called for, they were taken down, as follow:--

(1129)

YEAS.

Messieurs Bellingham, Bowes, Brodeur, Burton, Cameron, Cartier, Casault, Cauchon, Cayley, Chabot, Chapais, Chauveau, Church, Clarke, Cooke, Crawford, Crysler, Daly, Jean B. Daoust, Desaulniers, Dionne, Dostaler, Attorney General Drummond, Felton, Ferres, Thomas Fortier, Octave C. Fortier, Fournier, Gill, Holton, Labelle, Laberge, Langton, Larwill, LeBoutillier, Lemieux, Attorney General Macdonald, Sir A.N. MacNab, McCann, Meagher, Joseph C. Morrison, Murney, O'Farrell, Polette, Poulin, Pouliot, Rankin, Rhodes, Robinson, Roblin, Solicitor General Ross, James Ross, Sanborn, Shaw, Solicitor General Smith, Southwick, Spence, Stevenson, Terrill, Thibaudeau, and Turcotte.--(61.)

NAYS.

Messieurs Biggar, Bourassa, Brown, Bureau, Christie, Charles Daoust, Darche, DeLong, DeWitt, Jean B.E. Dorion, Foley, Hartman, Huot, Jobin, Lumsden, Roderick McDonald, Mackenzie, Marchildon, Masson, Morrison, Merritt, Niles, Papin, Patrick, Prévost, Rolph, Scatcherd, Valois, and Wright.--(29.)

So it was resolved in the Affirmative.

The second Resolution being read a second time; and the Question being put, That this House doth concur with the Committee in the said Resolution; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Alleyn, Biggar, Bowes, Brodeur, Burton, Cameron, Cartier, Casault, Cauchon, Cayley, Chabot, Clarke, Cooke, Crawford, Crysler, Daly, Dionne, Attorney General Drummond, Felton, Ferres, Foley, Thomas Fortier, Octave C. Fortier, Fournier, Gill, Hartman, Holton, Laberge, Larwill, LeBoutillier, Leroux, Attorney General Macdonald, Roderick McDonald, Sir A.N. MacNab, McCann, Meagher, Joseph C. Morrison, Murney, O'Farrell, Patrick, Polette, Pouliot, Powell, Rhodes, Robinson, Roblin, Solicitor General Ross, James Ross, Sanborn, Shaw, Solicitor General Smith, Southwick, Spence, Stevenson, Terrill, and Turcotte.--(57.)

(1129-1130)

NAYS.

Messieurs Bourassa, Brown, Bureau, Chapais, Christie, Charles Daoust, Jean B. Daoust, Darche, DeLong, Desaulniers, DeWitt, Jean B.E. Dorion, Dostaler, Dufresne, Guévremont, Huot, Jobin, Labelle, Lumsden, Mackenzie, Masson, Marchildon, Matheson, Niles, Papin, Poulin, Prévost, Rolph, Scatcherd, Thibaudeau, Valois, and Wright.--(58.)

So it was resolved in the Affirmative.

(1130)

The third Resolution being read a second time; and the Question being put, That this House doth concur with the Committee in the said Resolution; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Alleyn, Brodeur, Burton, Cameron, Cartier, Casault, Cauchon, Cayley, Chabot, Chauveau, Clarke, Cooke, Crawford, Crysler, Daly, Dionne, Attorney General Drummond, Felton, Ferres, Thomas Fortier, Octave C. Fortier, Fournier, Gill, Holton, Laberge, LeBoutillier, Leroux, Attorney General Macdonald, Sir A.N. MacNab, McCann, Meagher, Joseph C. Morrison, Murney, O'Farrell, Polette, Pouliot, Powell, Rhodes, Robinson, Roblin, Solicitor General Ross, James Ross, Shaw, Solicitor General Smith, Southwick, Spence, Stevenson, Terrill, and Turcotte.--(49.)

NAYS.

Messieurs Aikins, Biggar, Bourassa, Brown, Bureau, Chapais, Christie, Charles Daoust, Jean B. Daoust, Darche, DeLong, Desaulniers, DeWitt, Jean B.E. Dorion, Dostaler, Dufresne, Foley, Guévremont, Hartman, Huot, Jobin, Labelle, Lumsden, Roderick McDonald, Mackenzie, Marchildon, Masson, Matheson, Merritt, Niles, Papin, Patrick, Poulin, Prévost, Rolph, Sanborn, Scatcherd, Thibaudeau, Valois, and Wright.--(40.)

So it was resolved in the Affirmative.

The fourth Resolution, being read a second time, was agreed to.

The fifth Resolution being read a second time;

MR. MERRITT said that in 1850, the present Inspector General took a more prominent part than any one else in reducing the salaries of the Judges and Executive officers, and the same hon. gentleman now proposed their increase to an amount greater than they were at before. He did not think any thing should be done to encourage men to take office in the Executive Council, for the sake of the money, and this was the worst time to propose such an increase, when they had an expenditure of upwards of a million of pounds, about a quarter of which went to pay the interest of the province debt. But in the face of that it was proposed to raise these salaries from 800L to 1250L, and this for a Cabinet of ten--although the Inspector General in 1850 was in favour of reducing them to six--which, in reference to the population of the province was out of all proportion to the members in the Cabinets of either Great Britain or the United States.--Ours was the most expensive Government on the continent of North America. It was said the country was prosperous, and was well able to pay this increase. But why was it prosperous?--Was it not occasioned by the expenditure of money obtained by the large debt they had created? The prosperity from that source would soon come to an end, and when they came to pay the interest of that rapidly increasing debt, at a time when the productions of the country would command a lower price than at present, they would experience the fruits of present extravagance. He therefore moved in amendment to the resolution that 1250L be left out, and 1000L inserted instead thereof.³⁶

(1130)

The Honorable Mr. Merritt moved in amendment thereunto, seconded by Mr. Papin, That the words "One thousand two hundred and fifty" be left out, and the words "One thousand" inserted instead thereof;

And the Question being put on the amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Aikins, Biggar, Bourassa, Brown, Bureau, Christie, Church, Charles Daoust, Darche, Delong, DeWitt, Jean B.E. Dorian, Dostaler, Dufresne, Fale, Harman, Huet, Jobin, Laberge, Langton, Lumsden, Roderick McDonald, Marchand, Masson, Matheson, Merritt, Papin, Patrick, Prévost, Robinson, Rolph, Sanborn, Scatcherd, Valois, and Wright.--(35.)

(1131)

NAYS.

Messieurs Alley, Bellingham, Bowe, Brodeur, Burton, Cameron, D'Amour, Gaud, Gauthier, Gayley, Chabot, Chapais, Chauveau, Clarke, Cooke, Crawford, Cryslar, D'Almeida, Jean B. Daoust, Desaulniers, Dionne, Attorney General Drummond, Felton, Ferres, Thomas Fortier, Octave C. Fortier, Fournier, Gill, Labelle, Larwill, LeBoutillier, Lemieux, Attorney General Macdonald, McCann, Joseph C. Morrison, Murney, O'Farrell, Polette, Poulin, Pouliot, Powell, Rankin, Rhodes, Roblin, Solicitor General Ross, James Ross, Shaw, Solicitor General Smith, Spence, Thibaudeau, and Turcotte.--(51.)

So it passed in the Negative.

MR. TURCOTTE thought the salaries of ministers should be higher than those of any public officers enjoying permanency of place. They were subject to the effects of popular caprice. They entered upon the Government, and abandoned necessarily for the time their professional or business avocations, and lost their chances of success in the other walks of life to which they had devoted themselves, finding on their return to private life the avenues to success blocked up by other aspirants. They must break up their home and family arrangements also, and go and live at the

capital at an increased expense, in a style befitting their station. Perhaps in a year or two after the change was thus effected they lost their places by some political chance and the expense attendant on their entrance into official life was lost to them. The salaries had been reduced in a time of feverish excitement, which had affected Conservatives and Reformers alike, in a time too when men could live for half what it would cost them now. He thought the salaries of the Attorneys General should be higher than those of the other ministers, because he knew they were harder worked generally than the other ministers, having to look to all the details of Government legislation, and respond to numberless references from the other departments. Besides the ordinary expenses of public life ministers were bound to entertain any distinguished personage visiting our capital from other countries, and should be enabled to do this in a style befitting the greatness of our country.³⁷

MR. PAPIN would move in amendment, that in consideration of the increase of the salaries of ministers they shall not hereafter receive any sessional allowance for their attendance in their places in Parliament.³⁸

MR. MACKENZIE supported the amendment.³⁹

MR. HOLTON had supported the increase of salaries as a measure of justice. He thought, however, that Ministers' attendance in Parliament should be covered by their salaries. This was one of the duties imposed on them by our system of Government.⁴⁰

MESSRS. CAMERON and LANGTON contended the two things were quite distinct. The ministerial from the Parliamentary, duties and the salary given to the minister should in no wise be dependent on the indemnity of the members of Parliament.⁴¹

MR. CAMERON said the indemnity was fixed by an annual vote of Parliament. But on this resolution a bill would be founded, and he considered it would be improper to attach to a statute a condition resting on an annual vote.⁴²

MR. BROWN considered this objection unfounded; the four dollars per day of indemnity to members being in point of fact fixed by statute. The additional two dollars were added for the present session only, by a vote, but that proceeding was wholly irregular. He did not think they should induce persons to look to the high offices of State, with a view to the emoluments attached to them. Higher inducements than pecuniary ones should be held out to the politicians of this country. Till now they had obtained the best talent of the country for those offices with the existing salaries, and he had not heard one argument given why they should now be raised. The power, honour and distinction, obtained by members of the Government, formed a far higher inducement than a mere salary afforded.⁴³ He should support the amendment.⁴⁴

MR. RANKIN thought the indemnity for members was too small, as no gentleman could live in Quebec for less than eight dollars a day. He considered it an unjust proposal to take away the indemnity from members of the government, who had all the duties of members of Parliament to perform, besides attending to their government functions.⁴⁵

MR. J. ROSS (Northumberland) said that if members calculated the amount of their election expenses, and then deducted the indemnity, they would find that they were

the losers by several hundred pounds. (Laughter.) Now that it was established that Ministers of the Crown should not be allowed to invest their money with a view to profit in the same way as the rest of the community, it was monstrous to propose to starve them on 800L or 1000L a year. (Oh! Oh!)⁴⁶

The amendment was negatived⁴⁷.

(1131)

Mr. Papin moved in amendment to the fifth Resolution, seconded by Mr. Jean Baptiste Eric Dorion, That the words "Provided that he shall have no claim to any indemnity as Member of this House during its Session" be added at the end thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Aikins, Bourassa, Brown, Bureau, Christie, Charles Daoust, Darche, DeWitt, Jean B.E. Dorion, Dostaler, Dufresne, Foley, Hartman, Holton, Huot, Jobin, Laberge, Mackenzie, Marchildon, Merritt, Papin, Patrick, Prévost, Rolph, Scatcherd, and Valois.--(26.)

NAYS.

Messieurs Alleyn, Bellingham, Bowes, Brodeur, Burton, Cameron, Cartier, Casault, Cauchon, Cayley, Chabot, Chapais, Chauveau, Church, Clarke, Cooke, Crawford, Crysler, Daly, Jean B. Daoust, Desaulniers, Dionne, Attorney General Drummond, Felton, Ferres, Octave C. Fortier, Fournier, Gill, Labelle, Langton, LeBoutillier, Lemieux, Lumsden, Attorney General Macdonald, McCann, Masson, Matheson, Meagher, Joseph C. Morrison, Murney, O'Farrell, Polette, Poulin, Pouliot, Powell, Rankin, Rhodes, Robinson, Roblin, Solicitor General Ross, James Ross, Sanborn, Shaw, Solicitor General Smith, Spence, Stevenson, Terrill, Thibaudeau, and Turcotte.--(59.)

So it passed in the Negative.

Then the Question being put, That this House doth concur with the Committee in the said Resolution; the House divided: and the names being called for, they were taken down, as follow:--

(1131-1132)

YEAS.

Messieurs Alleyn, Bowes, Brodeur, Burton, Cartier, Casault, Cauchon, Cayley, Chabot, Chapais, Clarke, Cooke, Crawford, Crysler, Daly, Jean B. Daoust, Desaulniers, Dionne, Attorney General Drummond, Felton, Ferres, Octave C. Fortier, Fournier, Gill, Holton, Labelle, LeBoutillier, Lemieux, Attorney General Macdonald, McCann, Masson, Joseph C. Morrison, Murney, O'Farrell, Poulin, Pouliot, Powell, Rankin, Rhodes, Roblin, Solicitor General Ross, James Ross, Shaw, Solicitor General Smith, Spence, Stevenson, Terrill, Thibaudeau, and Turcotte.--(49.)

(1132)

NAYS.

Messieurs Aikins, Brown, Bureau, Church, Charles Daoust, Darche, DeWitt, Jean B.E. Dorion, Dufresne, Foley, Hartman, Huot, Jobin, Laberge, Langton, Mackenzie, Marchildon, Papin, Prévost, Scatcherd, and Valois.--(21.)

So it was resolved in the Affirmative.

The sixth Resolution being read a second time;

Mr. Mackenzie moved in amendment thereunto, seconded by Mr. Darche, That all the words after "That" to the end of the Question be left out, in order to add instead

thereof the words "it is inexpedient that the Attorneys General should form part of the Cabinet, and that their official duties should be confined to the legal business arising in their respective divisions of the Province and advising the Government on all legal Questions submitted to them; and that their present Official Incomes are sufficient recompense for their legal services;"

((MR. MACKENZIE)) stated that he had copied the above from a resolution moved by the Inspector General in 1850.⁴⁸

(1132)

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bureau, Charles Daoust, Darche, DeWitt, Jean B.E. Dorion, Huot, Jobin, Laberge, Mackenzie, Marchildon, Papin, Prévost, and Valois.--(13.)

NAYS.

Messieurs Aikins, Alleyn, Bowes, Brodeur, Brown, Cartier, Casault, Cauchon, Cayley, Chabot, Chapais, Clarke, Crawford, Crysler, Daly, Jean B. Daoust, Desaulniers, Dionne, Attorney General Drummond, Dufresne, Felton, Ferres, Foley, Octave C. Fortier, Fournier, Gill, Hartman, Holton, Labelle, Langton, Larwill, LeBoutillier, Lemieux, Attorney General Macdonald, Sir A.N. MacNab, McCann, Masson, Joseph C. Morrison, Murney, O'Farrell, Poulin, Pouliot, Powell, Rhodes, Roblin, Solicitor General Ross, Scatcherd, Shaw, Solicitor General Smith, Spence, Stevenson, Terrill, Thibaudeau, and Turcotte.--(55.)

So it passed in the Negative.

Then the Question being put, That this House doth concur with the Committee in

(1133)

the said Resolution; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Alleyn, Bowes, Brodeur, Cartier, Casault, Cauchon, Cayley, Chabot, Chapais, Clarke, Crawford, Crysler, Daly, Jean B. Daoust, Desaulniers, Dionne, Felton, Ferres, Octave C. Fortier, Fournier, Gill, Holton, Labelle, Larwill, LeBoutillier, Lemieux, Attorney General Macdonald, Sir A.N. MacNab, McCann, Masson, Joseph C. Morrison, Murney, O'Farrell, Poulin, Pouliot, Powell, Rankin, Rhodes, Roblin, Solicitor General Ross, Shaw, Solicitor General Smith, Spence, Stevenson, Thibaudeau, and Turcotte.--(46.)

NAYS.

Messieurs Aikins, Brown, Bureau, Christie, Church, Charles Daoust, Darche, DeWitt, Jean B.E. Dorion, Dufresne, Foley, Hartman, Huot, Jobin, Laberge, Langton, Mackenzie, Marchildon, Papin, Prévost, Scatcherd, Valois, and Wright.--(23.)

So it was resolved in the Affirmative.

The seventh Resolution being read a second time;

Mr. Hartman moved in amendment thereunto, seconded by Mr. Brown, That the words "One thousand two hundred and fifty" be left out, and the words "One thousand" inserted instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Aikins, Brown, Bureau, Christie, Church, Charles Daoust, Darche, DeWitt, Jean B.E. Dorion, Dufresne, Foley, Hartman, Huot, Jobin, Langton, Mackenzie, Marchildon, Papin, Prévost, Scatcherd, Valois, and Wright.--(22.)

NAYS.

Messieurs Alleyn, Bowes, Brodeur, Cameron, Cartier, Casault, Cauchon, Cayley, Chabot, Chapais, Clarke, Crawford, Crysler, Daly, Jean B. Daoust, Desaulniers, Dionne, Attorney General Drummond, Felton, Ferres, Octave C. Fortier, Fournier, Gill, Holton, Labelle, Laberge, Larwill, LeBoutillier, Lemieux, Sir A.N. MacNab, McCann, Masson, Joseph C. Morrison, Murney, O'Farrell, Poulin, Pouliot, Powell, Rankin, Rhodes, Roblin, Solicitor General Ross, Shaw, Solicitor General Smith, Spence, Stevenson, Thibaudeau, and Turcotte.--(48.)

So it passed in the Negative.

Then the Question being put, That this House doth concur with the Committee in

(1134)

the said Resolution; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Alleyn, Bowes, Brodeur, Cameron, Cartier, Casault, Cauchon, Cayley, Chabot, Chapais, Clarke, Crawford, Crysler, Daly, Jean B. Daoust, Desaulniers, Dionne, Attorney General Drummond, Felton, Ferres, Octave C. Fortier, Fournier, Gill, Holton, Labelle, Larwill, LeBoutillier, Lemieux, Sir A.N. MacNab, McCann, Masson, Joseph C. Morrison, Murney, O'Farrell, Poulin, Pouliot, Powell, Rankin, Rhodes, Roblin, Solicitor General Ross, Shaw, Solicitor General Smith, Spence, Stevenson, Thibaudeau, and Turcotte.--(47.)

NAYS.

Messieurs Aikins, Brown, Bureau, Christie, Church, Charles Daoust, Darche, DeWitt, Jean B.E. Dorion, Dufresne, Foley, Hartman, Huot, Jobin, Laberge, Langton, Mackenzie, Marchildon, Papin, Prévost, Scatcherd, Valois, and Wright.--(25.)

So it was resolved in the Affirmative.

The eighth Resolution being read a second time;

Mr. Hartman moved in amendment thereunto, seconded by Mr. Brown, That the words "One thousand two hundred and fifty" be left out, and the words "One thousand" inserted instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Aikins, Brown, Bureau, Christie, Church, Charles Daoust, Darche, DeWitt, Jean B.E. Dorion, Dufresne, Foley, Hartman, Huot, Jobin, Langton, Mackenzie, Marchildon, Papin, Prévost, Scatcherd, Valois, and Wright.--(22.)

NAYS.

Messieurs Alleyn, Bowes, Brodeur, Cameron, Cartier, Casault, Cauchon, Cayley, Chabot, Chapais, Clarke, Crawford, Crysler, Daly, Jean B. Daoust, Desaulniers, Dionne, Attorney General Drummond, Felton, Ferres, Octave C. Fortier, Fournier, Gill, Holton, Labelle, Laberge, Larwill, LeBoutillier, Lemieux, Attorney General Macdonald, Sir A.N. MacNab, McCann, Masson, Joseph C. Morrison, Murney, O'Farrell,

Poulin, Pouliot, Powell, Rankin, Rhodes, Roblin, Solicitor General Ross, Shaw, Solicitor General Smith, Spence, Stevenson, Thibaudeau, and Turcotte.--(49.)

So it passed in the Negative.

(1135)

Then the Question being put, That this House doth concur with the Committee in the said Resolution; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Alleyn, Bowes, Brodeur, Cameron, Cartier, Casault, Cauchon, Cayley, Chabot, Chapais, Clarke, Crawford, Crysler, Daly, Jean B. Daoust, Desaulniers, Dionne, Attorney General Drummond, Felton, Ferres, Octave C. Fortier, Fournier, Gill, Holton, Labelle, Larwill, LeBontillier, Lemieux, Attorney General Macdonald, Sir A.N. MacNab, McCann, Masson, Joseph C. Morrison, Murney, O'Farrell, Poulin, Pouliot, Powell, Rankin, Rhodes, Roblin, Solicitor General Ross, Shaw, Solicitor General Smith, Spence, Stevenson, Thibaudeau, and Turcotte.--(48.)

NAYS.

Messieurs Aikins, Brown, Bureau, Christie, Church, Charles Daoust, Darche, DeWitt, Jean B.E. Dorion, Dufresne, Foley, Hartman, Huot, Jobin, Laberge, Langton, Mackenzie, Marchildon, Papin, Prévost, Scatcherd, Valois, and Wright.--(23.)

So it was resolved in the Affirmative.

The ninth Resolution being read a second time; and the Question being put, That this House doth concur with the Committee in the said Resolution; the House divided: and the names being called for, they were taken down, as follow:--⁴⁹

YEAS.

Messieurs Alleyn, Bowes, Brodeur, Cameron, Cartier, Casault, Cayley, Chabot, Chapais, Clarke, Crawford, Crysler, Daly, Jean B. Daoust, Desaulniers, Dionne, Attorney General Drummond, Felton, Ferres, Octave C. Fortier, Fournier, Gill, Holton, Labelle, Larwill, LeBontillier, Lemieux, Attorney General Macdonald, Sir A.N. MacNab, McCann, Masson, Joseph C. Morrison, Murney, O'Farrell, Poulin, Pouliot, Powell, Rankin, Rhodes, Roblin, Solicitor General Ross, Shaw, Solicitor General Smith, Spence, Stevenson, Thibaudeau, and Turcotte.--(47.)

NAYS.

Messieurs Aikins, Brown, Bureau, Christie, Church, Charles Daoust, Darche, DeWitt, Jean B.E. Dorion, Dufresne, Foley, Hartman, Huot, Jobin, Laberge, Langton, Mackenzie, Marchildon, Papin, Prévost, Scatcherd, Valois, and Wright.--(23.)

So it was resolved in the Affirmative.

The tenth Resolution being read a second time; and the Question being put, That this House doth concur with the Committee in the said Resolution; the House divided:

(1136)

and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Alleyn, Bowes, Brodeur, Cameron, Cartier, Casault, Cauchon, Cayley, Chabot, Chapais, Clarke, Crawford, Crysler, Daly, Jean B. Daoust, Desaulniers, Dionne, Attorney General Drummond, Felton, Ferres, Octave C. Fortier, Fournier,

Gill, Holton, Labelle, Larwill, LeBoutillier, Lemieux, Attorney General Macdonald, Sir A.N. MacNab, McCann, Masson, Joseph C. Morrison, Murney, O'Farrell, Poulin, Pouliot, Powell, Rankin, Rhodes, Roblin, Solicitor General Ross, Shaw, Solicitor General Smith, Spence, Stevenson, Thibaudeau, and Turcotte.--(48.)

NAYS.

Messieurs Aikins, Brown, Bureau, Christie, Church, Charles Daoust, Darche, DeWitt, Jean B.E. Dorion, Dufresne, Foley, Hartman, Huot, Jobin, Laberge, Langton, Mackenzie, Marchildon, Papin, Prévost, Scatcherd, Valois, and Wright.--(23.)

So it was resolved in the Affirmative.

The eleventh Resolution being read a second time; and the Question being put, That this House doth concur with the Committee in the said Resolution; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Alleyn, Bowes, Brodeur, Cameron, Cartier, Casault, Cauchon, Cayley, Chabot, Chapais, Clarke, Crawford, Crysler, Daly, Jean B. Daoust, Desaulniers, Dionne, Attorney General Drummond, Felton, Ferres, Octave C. Fortier, Fournier, Gill, Holton, Labelle, Larwill, LeBoutillier, Attorney General Macdonald, Sir A.N. MacNab, McCann, Masson, Joseph C. Morrison, Murney, O'Farrell, Poulin, Pouliot, Powell, Rankin, Rhodes, Roblin, Solicitor General Ross, Shaw, Solicitor General Smith, Spence, Stevenson, Thibaudeau, and Turcotte.--(47.)

NAYS.

Messieurs Aikins, Brown, Bureau, Christie, Church, Charles Daoust, Darche, DeWitt, Jean B.E. Dorion, Dufresne, Foley, Hartman, Huot, Jobin, Laberge, Langton, Mackenzie, Marchildon, Papin, Prévost, Scatcherd, Valois, and Wright.--(23.)

So it was resolved in the Affirmative.

The twelfth Resolution being read a second time; and the Question being put, That this House doth concur with the Committee in the said Resolution; the House

(1137)

divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Alleyn, Bowes, Brodeur, Cameron, Cartier, Casault, Cauchon, Cayley, Chabot, Chapais, Clarke, Crawford, Crysler, Daly, Jean B. Daoust, Desaulniers, Dionne, Attorney General Drummond, Felton, Ferres, Octave C. Fortier, Fournier, Gill, Holton, Labelle, Larwill, LeBoutillier, Lemieux, Attorney General Macdonald, Sir A.N. MacNab, McCann, Masson, Joseph C. Morrison, Murney, O'Farrell, Poulin, Pouliot, Powell, Rankin, Rhodes, Roblin, Solicitor General Ross, Shaw, Solicitor General Smith, Stevenson, Thibaudeau, and Turcotte.--(47.)

NAYS.

Messieurs Aikins, Brown, Bureau, Christie, Church, Charles Daoust, Darche, DeWitt, Jean B.E. Dorion, Dufresne, Foley, Hartman, Huot, Jobin, Laberge, Langton, Mackenzie, Marchildon, Papin, Prévost, Scatcherd, Valois, and Wright.--(23.)

So it was resolved in the Affirmative.

The thirteenth Resolution being read a second time; and the Question being put, That this House doth concur with the Committee in the said Resolution; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Alleyn, Bowes, Brodeur, Cameron, Casault, Cauchon, Cayley, Chabot, Chapais, Clarke, Crawford, Crysler, Daly, Jean B. Daoust, Desaulniers, Dionne, Attorney General Drummond, Felton, Ferres, Octave C. Fortier, Fournier, Gill, Holton, Labelle, Larwill, LeBoutillier, Lemieux, Attorney General Macdonald, Sir A.N. MacNab, McCann, Masson, Joseph C. Morrison, Murney, O'Farrell, Poulin, Pouliot, Powell, Rankin, Rhodes, Roblin, Solicitor General Ross, Shaw, Solicitor General Smith, Spence, Stevenson, Thibaudeau, and Turcotte.--(47.)

NAYS.

Messieurs Aikins, Brown, Bureau, Christie, Church, Charles Daoust, Darche, DeWitt, Jean B.E. Dorion, Dufresne, Foley, Hartman, Huot, Jobin, Laberge, Langton, Mackenzie, Marchildon, Papin, Prévost, Scatcherd, Valois, and Wright.--(23.)

So it was resolved in the Affirmative.

The fourteenth Resolution being read a second time; and the Question being put, That this House doth concur with the Committee in the said Resolution; the House

(1138)

divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Alleyn, Bowes, Brodeur, Cameron, Cartier, Casault, Cauchon, Chabot, Chapais, Clarke, Crawford, Crysler, Daly, Jean B. Daoust, Desaulniers, Dionne, Attorney General Drummond, Felton, Ferres, Octave C. Fortier, Fournier, Gill, Holton, Labelle, Larwill, LeBoutillier, Lemieux, Attorney General Macdonald, Sir A.N. MacNab, McCann, Masson, Joseph C. Morrison, Murney, O'Farrell, Poulin, Pouliot, Powell, Rankin, Rhodes, Roblin, Solicitor General Ross, Shaw, Solicitor General Smith, Spence, Stevenson, Thibaudeau, and Turcotte.--(47.)

NAYS.

Messieurs Aikins, Brown, Bureau, Christie, Church, Charles Daoust, Darche, DeWitt, Jean B.E. Dorion, Dufresne, Foley, Hartman, Huot, Jobin, Laberge, Langton, Mackenzie, Marchildon, Papin, Prévost, Scatcherd, Valois, and Wright.--(23.)

So it was resolved in the Affirmative.

The fifteenth Resolution being read a second time; and the Question being put, That this House doth concur with the Committee in the said Resolution; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Alleyn, Bowes, Brodeur, Cameron, Cartier, Casault, Cauchon, Cayley, Chabot, Chapais, Clarke, Crawford, Crysler, Daly, Jean B. Daoust, Desaulniers, Dionne, Attorney General Drummond, Felton, Ferres, Octave C. Fortier, Fournier, Gill, Holton, Labelle, Larwill, LeBoutillier, Lemieux, Attorney General Macdonald, Sir A.N. MacNab, McCann, Masson, Joseph C. Morrison, Murney, O'Farrell, Poulin, Pouliot, Powell, Rankin, Rhodes, Roblin, Shaw, Spence, Stevenson, Thibaudeau, and Turcotte.--(46.)

NAYS.

Messieurs Aikins, Brown, Bureau, Christie, Church, Charles Daoust, Darche, DeWitt, Jean B.E. Dorion, Dufresne, Foley, Hartman, Huot, Jobin, Laberge, Langton, Mackenzie, Marchildon, Papin, Prévost, Scatcherd, Valois, and Wright.--(23.)

So it was resolved in the Affirmative.

The sixteenth Resolution being read a second time; and the Question being put, That this House doth concur with the Committee in the said Resolution; the House

(1139)

divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Alleyn, Bowes, Brodeur, Cameron, Cartier, Casault, Cauchon, Cayley, Chabot, Chapais, Clarke, Crawford, Crysler, Daly, Jean B. Daoust, Desaulniers, Dionne, Attorney General Drummond, Felton, Ferres, Octave C. Fortier, Fournier, Gill, Holton, Labelle, Larwill, LeBoutillier, Lemieux, Attorney General Macdonald, Sir A.N. MacNab, McCann, Masson, Joseph C. Morrison, Murney, O'Farrell, Poulin, Poulton, Rosell, Rankin, Rhodes, Roblin, Shaw, Spence, Stevenson, Tribandean, and Turcotte.--(46.)

NAYS.

Messieurs Aikins, Brown, Bureau, Christie, Church, Charles Daoust, Darche, DeWitt, Jean B.E. Dorion, Dufresne, Foley, Hartman, Huot, Jobin, Laberge, Langton, Mackenzie, Marchildon, Papin, Prévost, Scatcherd, Valois, and Wright.--(23.)

So it was resolved in the Affirmative.

Twelve o'clock having now arrived, cries were raised from various parts of the House for an adjournment, on account of the day then commencing being a sacred day--a fête d'obligation.⁵⁰

MR. DEWITT moved that the House do now adjourn.⁵¹

MR. JOBIN contended that no motion for an adjournment was necessary, and that the Speaker should leave the chair at twelve o'clock as a matter of course, out of deference to the holiday.⁵²

MR. MACKENZIE attempted to speak.... ((He said)) that truly they were a religious people, to commence the observance of Ascension day, with such hideous noises as deafened his ears and drowned his voice.⁵³

MR. INSP. GEN. CAYLEY said that one minute would finish the whole business to be got through. He wished merely to introduce pro forma a Bill founded on the resolutions now passed.⁵⁴

MR. DEWITT then withdrew his motion.⁵⁵

MR. PAPIN, however, renewed it, and moved that the House do now adjourn.⁵⁶

The motion was negatived⁵⁷.

(1139)

Mr. Papin moved, seconded by Mr. Mackenzie, and the Question being put, That this House do now adjourn; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Bureau, Darche, DeWitt, Jean B.E. Dorion, Octave C. Fortier, Huot, Jobin, Mackenzie, Marchildon, Papin, Spence, and Valois.--(12.)

NAYS.

Messieurs Aikins, Alleyn, Bellingham, Bowes, Brodeur, Brown, Cameron, Cartier, Casault, Cauchon, Cayley, Chabot, Christie, Clarke, Crawford, Crysler, Daly, Jean B. Daoust, Desaulniers, Attorney General Drummond, Dufresne, Felton, Flemes, Foley, Fournier, Hartman, Labelle, Langton, LeBoutillier, Lemieux, Attorney General Macdonald, Sir A.N. MacNab, McCann, Masson, Joseph C. Morrison, Mumey, O'Farrell, Poulin, Pouliot, Rankin, Rhodes, Roblin, Solicitor General Ross, Scatcherd, Shaw, Solicitor General Smith, Stevenson, Thibaudeau, Turcotte, and Wright--(50.)

So it passed in the Negative.

Ordered, That the Honorable Mr. Cayley have leave to bring in a Bill to amend the Act amending the Act granting a Civil List to Her Majesty, by increasing the Salaries of certain Judicial and other Officers therein mentioned, and to fix those of certain other Public Officers.

He accordingly presented the said Bill to the House, and the same was received

(1140)

and read for the first time; and ordered to be read a second time on Friday next.

Then, on motion of the Honorable Mr. Cayley, seconded by the Honorable Mr. Attorney General Macdonald,

The House adjourned until Friday next.⁵⁸

APPENDIX: 16 MAY 1855.

((NOTICE OF MOTION FOR COMMITTEE TO CONSIDER RESOLUTIONS RE: TAVERN LICENSES.))

MR. SOL. GEN. D. ROSS ((gave notice that)) on Friday next ((he would move for a)) Committee of the whole to consider the following Resolution, That it is expedient to make further and more stringent provision regulating the granting of Tavern Licenses, with a view to restrict the sale of spirituous, vinous, and fermented liquors, the more effectually to repress intemperance.⁵⁹

((NOTICE OF MOTION FOR COMMITTEE RE: EMIGRATION.))

MR. LARWILL ((gave notice that)) on Friday next ((he would move)) to consider the propriety of appointing a Standing Committee on Emigration; as also the expediency of establishing Emigrant Agencies at certain places in and out of the Country.⁶⁰

((NOTICE OF MOTION TO SUSPEND 62ND RULE RE: PORT BRUCE HARBOR COMPANY.))

MR. SOUTHWICK ((gave notice that)) on Friday next ((he would move)) to suspend the 62nd Rule of this House, so far as it relates to a Bill to amend the general Harbor Act in so far as regards the Port Bruce Harbor Company.⁶¹

((NOTICE OF MOTION RE: FERRY BETWEEN QUEBEC AND POINT LEVI.))

MR. POULIOT ((gave notice that)) on Friday next ((he would move an)) Enquiry of Ministry, why the regulation of the Ferry between Quebec and Point Levi has not been effected as provided for by an Act passed during the last Session of Parliament, and whether it is proposed to attend to this important matter at an early period?⁶³

FOOTNOTES: 16 MAY 1855.

1. LA MINERVE, 24 May 1855.
2. IBID.
3. IBID.
4. IBID.
5. GLOBE, 23 May 1855.
6. IBID.
7. IBID.
8. IBID.
9. IBID.
10. IBID.
11. HAMILTON SPECTATOR, 23 May 1855. The following commentary is reported in LE PAYS, 26 May 1855: "cette séance a été presque exclusivement consacrée à recevoir les résolutions passées en comité de toute la chambre sur les salaires des officiers publics et les ministres. Il y eut peu de discussion: M. Mackenzie seul eut le courage de parler presque sur chaque résolution, malgré les cris et les pupitres du côté droit".
12. MONTREAL GAZETTE, 18 May 1855.
13. HAMILTON SPECTATOR, 23 May 1855.
14. IBID.
15. IBID.
16. IBID.
17. GLOBE, 23 May 1855.
18. HAMILTON SPECTATOR, 23 May 1855.
19. GLOBE, 23 May 1855.
20. MONTREAL GAZETTE, 18 May 1855.
21. GLOBE, 23 May 1855.
22. IBID.
23. MONTREAL GAZETTE, 18 May 1855.
24. HAMILTON SPECTATOR, 23 May 1855.
25. MONTREAL GAZETTE, 18 May 1855.
26. GLOBE, 23 May 1855.
27. HAMILTON SPECTATOR, 23 May 1855.
28. IBID.
29. MONTREAL GAZETTE, 18 May 1855.
30. HAMILTON SPECTATOR, 23 May 1855.
31. IBID.
32. GLOBE, 23 May 1855.
33. IBID.
34. GLOBE, 23 May 1855 (in Scrapbook Hansard).
35. GLOBE, 23 May 1855.
36. IBID.
37. MONTREAL GAZETTE, 18 May 1855.
38. IBID.
39. GLOBE, 23 May 1855.
40. MORNING CHRONICLE, 25 May 1855.
41. IBID.
42. GLOBE, 23 May 1855.
43. IBID.
44. MORNING CHRONICLE, 25 May 1855.
45. GLOBE, 23 May 1855.

46. GLOBE, 23 May 1855 (in Scrapbook Hansard).
47. IBID.
48. GLOBE, 23 May 1855.
49. MONTREAL GAZETTE, 18 May 1855, and MORNING CHRONICLE, 25 May 1855, which are similar accounts, draw attention to the 9th, 11th, 12th, 13th, 14th, 15th and 16th resolutions, reporting Messrs. Cauchon, Lemieux, Spence, Cartier, Cayley, and the two Solicitor Generals not voting on their respective resolutions.
50. GLOBE, 23 May 1855.
51. IBID.
52. IBID.
53. GLOBE, 23 May 1855. This newspaper reports in full: "Mr. Mackenzie attempted to speak, and held the floor for two or three minutes, although his voice was inaudible from the kicking of desks, caterwaulings, and snatches of songs in various parts of the house. The only remark of the hon. gentleman that reached the Reporters' gallery was that truly they were a religious people, to commence the observance of Ascension day, with such hideous noises as deafened his ears and drowned his voice."
54. GLOBE, 23 May 1855.
55. IBID.
56. IBID.
57. IBID.
58. GLOBE, 23 May 1855, specifies that "the House then adjourned at 15 minutes past midnight till Friday next, Thursday being Ascension day."
59. HAMILTON SPECTATOR, 16 May 1855.
60. IBID.
61. IBID.
62. IBID.

PROPER NAME INDEX

INTRODUCTION

The following Index applies only to the names of men who were members of the Legislative Assembly in the Fifth Parliament, First Session, Second Part, for the period covered in this volume, that is 24 April 1855 to 16 May 1855 inclusive. It refers to every occasion a member proposed or seconded a motion or resolution, or brought up a petition; it refers to every speech he delivered during debates or to every other time he addressed the House; and also when he took the chair of the House in Committee of the Whole, or was appointed to sit on a Committee. Only individual votes are excluded because divisions rightfully belong with the legislation they pertain to, and all legislation is included in the subject Index.

As explained in the Introduction to Volume XII, Part I, the subject Index for the entire volume will be contained in the final part.

The letter "f" after the page number indicates a member's speech or motion referred to in the footnote pages.

The punctuation (?) following a page number indicates there is reason to doubt that the member made the speech or moved the motion. The reader is advised to refer to the appropriate footnote in the footnote pages for an explanation.

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